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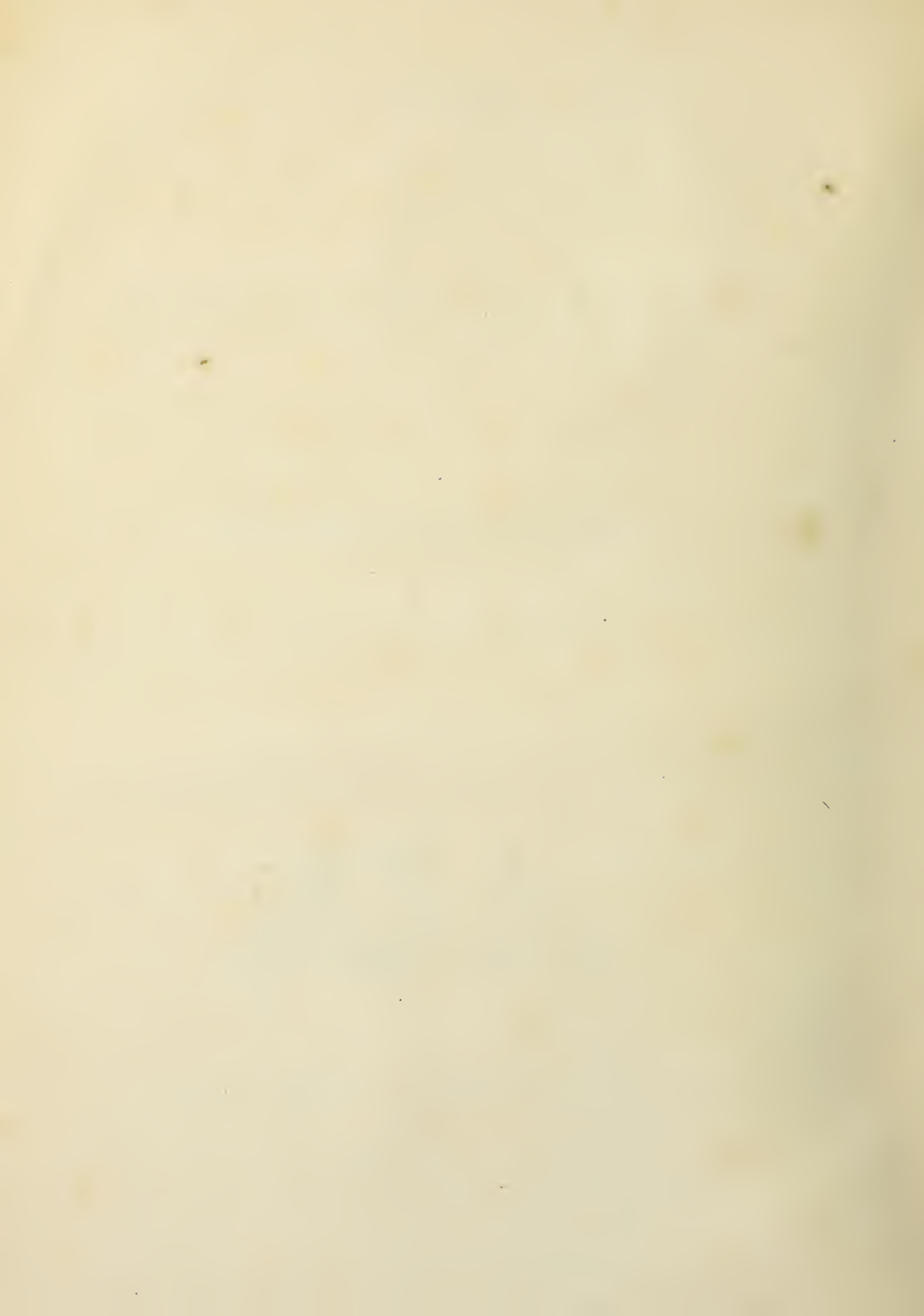
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ANNO SECUNDO VICTORIÆ REGINÆ.

CHARLOTTETOWN:—JOHN HENRY WHITE, *Printer*.—MDCCCXXXIX.



BY HIS EXCELLENCY
SIR CHARLES AUGUSTUS FITZ ROY, K. H.
Lieutenant Governor and Commander in Chief in and over Her Majesty's Island Prince Edward,
and the Territories thereunto belonging, Chancellor, Vice Admiral, and Ordinary
of the same, &c. &c. &c.

CHARLES AUG. FITZ ROY, Lt. Governor ;

A P R O C L A M A T I O N .

WHEREAS the General Assembly of this Island stands prorogued until Thursday the Twenty-seventh day of September, instant.

I have thought fit to DISSOLVE the said General Assembly, and the same is hereby Dissolved accordingly.

And I do hereby give Notice to the several Members for the Counties and Towns and Royalties within the said Island, that they are discharged from further attendance in the said General Assembly.

And I do further declare that I have this day given orders that Writs for calling a new General Assembly be issued in due form ; the said Writs to bear Teste on Wednesday the Twenty-sixth inst. and be returnable on Monday the Tenth day of December next.

Given under my Hand, and the Great Seal of this Island, at Charlottetown in the said Island, this 24th day of September, in the year of our Lord One thousand eight hundred and thirty-eight and in the Second year of Her Majesty's Reign.

BY HIS EXCELLENCY'S COMMAND,
J. P. COLLINS, Col. Sec.
GOD SAVE THE QUEEN.

BY HIS EXCELLENCY
SIR CHARLES AUGUSTUS FITZ ROY, K. H.
Lieutenant Governor and Commander in Chief in and over Her Majesty's Island Prince Edward,
and the Territories thereunto belonging, Chancellor, Vice Admiral, and Ordinary
of the same, &c. &c. &c.

CHARLES AUG. FITZ ROY, Lt. Governor ;

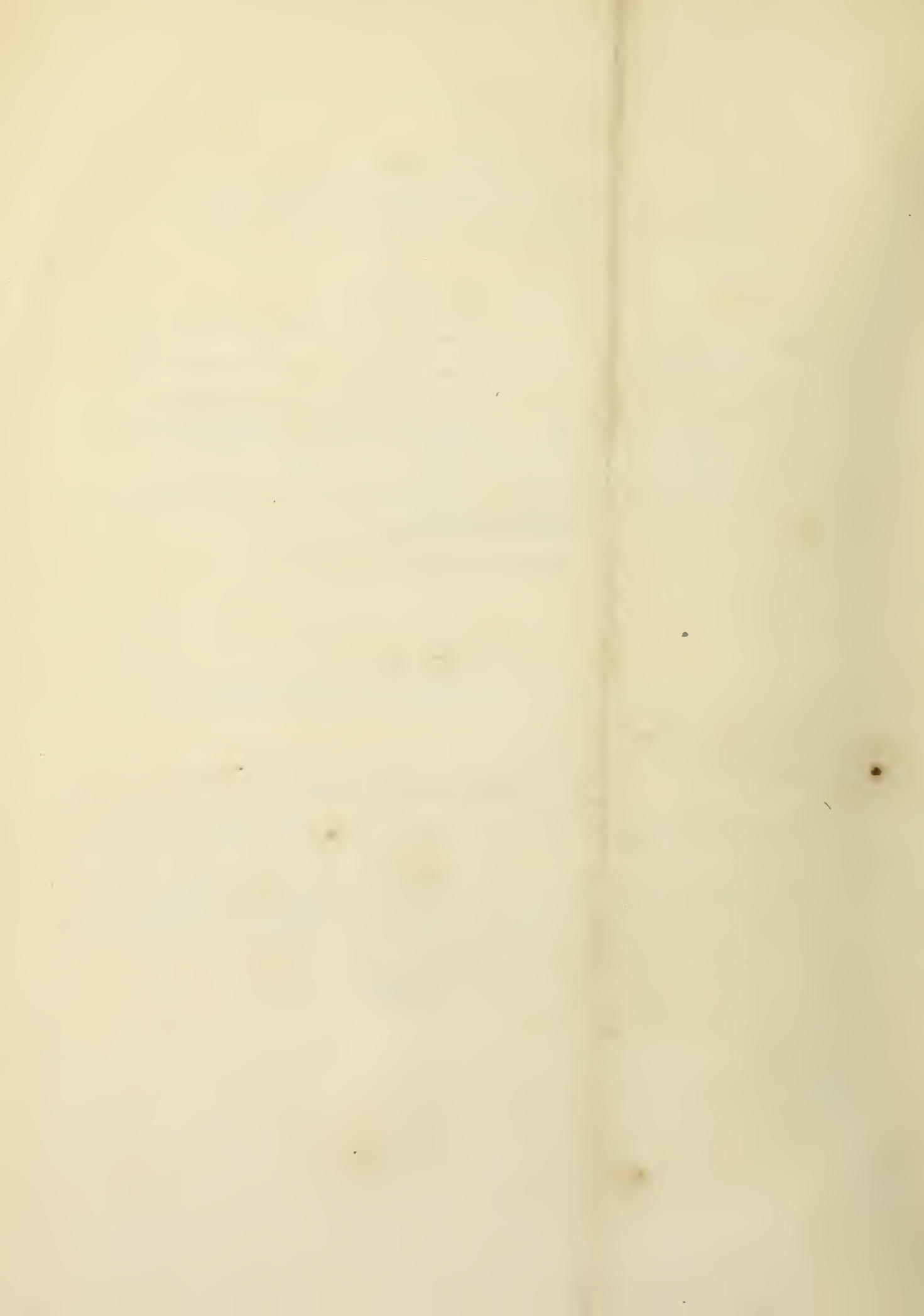
A P R O C L A M A T I O N .

WHEREAS the Writs for Electing Members to serve in General Assembly for the several Counties, and Towns and Royalties in this Island, are returnable on Monday the 10th day of December, instant:

I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued, until Tuesday, the Twenty-second day of January, 1839, then to meet *for the Dispatch of Business*—of which all persons concerned are required to take notice, and govern themselves accordingly.

Given under my Hand, and the Great Seal of this Island, at Charlottetown in the said Island, this 4th day of December, in the year of our Lord One thousand eight hundred and thirty-eight, and in the Second year of Her Majesty's Reign.

BY HIS EXCELLENCY'S COMMAND,
J. P. COLLINS, Col. Sec.
GOD SAVE THE QUEEN.



JOURNAL

OF THE

HOUSE OF ASSEMBLY

OF

PRINCE EDWARD ISLAND.

FIRST SESSION OF THE FIFTEENTH GENERAL ASSEMBLY.

TUESDAY, January 22, 1839.

HIS Excellency Sir Charles Augustus Fitz Roy, K. H. Lieutenant Governor, having, by his several Proclamations (hereunto annexed,) dissolved the last General Assembly, and called a new one; and having appointed the same to meet and sit at Charlottetown this day, being the Twenty-second day of January, 1839; the following are the names of the Members returned to represent the several Counties, Towns and Royalties in the General Assembly, viz.

COUNTY OF PRINCE COUNTY.

FIRST DISTRICT.

James Yeo.
Thomas Gorman.

SECOND DISTRICT.

Allan Fraser.
Alexander Rae.

THIRD DISTRICT.

Joseph Pope.
Richard Hudson.

COUNTY OF QUEEN'S COUNTY.

FIRST DISTRICT.

Charles Macneill.
Mungo Macfarlane.

SECOND DISTRICT.

John Small Macdonald.
Malcolm Forbes.

THIRD DISTRICT.

John Windsor Le Lacheur.
John Arbuckle.

COUNTY OF KING'S COUNTY.

FIRST DISTRICT.

John Macintosh
Donald Macdonald.

SECOND DISTRICT.

William Cooper.
William Dingwell.

THIRD DISTRICT

Vere Beck.
John Dalziel.

CHARLOTTETOWN.

*Edward Palmer,
Francis Longworth, Jr.*

PRINCETOWN.

*William Clark,
Donald Montgomery.*

GEORGETOWN.

*John Thomson,
Joseph Dingwell.*

In virtue of a Commission from His Excellency the Lieutenant Governor to the Honorables Thomas Heath Haviland, John Brecken and George Richard Goodman, a copy of which is as follows:

PRINCE EDWARD ISLAND.

*VICTORIA, by the Grace of God, of the United
Kingdom of Great Britain and Ireland,
CHAS. A. FITZ ROY, Queen, Defender of the Faith &c. &c.
Lt. Governor. &c.*

To our trusty and well beloved, the Honorables Thomas Heath Haviland, John Brecken, and George Richard Goodman.

WHEREAS we have, by our Wits, commanded our High Sheriffs to assemble the several Inhabitants, Electors of this our Island of Prince Edward, and thereout to cause them to choose and elect Twenty-four proper and fit persons to serve us in a General Assembly, to be held for our service at Charlottetown, in our said Island: And whereas our said High Sheriffs have, as commanded, held the said Elections, and returned to our Secretary of our said Island, the names of Twenty-four proper and fit persons, duly elected and qualified to serve us in our said Assembly: These are therefore to command you, or any two of you, that at such certain day and place, as our Lieutenant Governor of our said Island shall appoint and direct, you go to such place, and on such day as aforesaid, and then and there administer unto each and every of the said Twenty-four persons who are returned as aforesaid, the Oaths appointed by Law to be by them taken; and when you shall have so administered the said Oaths you shall send the same unto our said Secretary, certifying, under your Seals, what you shall have done on the premises, together with this Writ.

Witness our trusty and well beloved Sir Charles Augustus Fitz Roy, K. H. Lieutenant Governor and Commander in Chief, in and over our said Island Prince Edward, and the Territories thereunto belonging, Chancellor, Vice-Admiral and Ordinary of the same, at Charlottetown, in the said Island, this Twenty-first day of January in the

Year of our Lord One thousand eight hundred and thirty-nine, and in the second year of our Reign.

By His Excellency's Command,
J. P. COLLINS,
Colonial Secretary.

The said Commissioners came between One and Two of the clock into the place where the House of Assembly usually sit, all the Members being present, and administered to them the usual Oaths prescribed by Law.

A Message from His Excellency the Lieutenant Governor, by John Cambridge Wright, Esquire, Usher of the Black Rod.

Gentlemen;

His Excellency the Lieutenant Governor commands your attendance in the Council Chamber, instanter.

Accordingly the Members present went up to attend His Excellency in the Council Chamber.

The Honorable the President of the Legislative Council then said—

Gentlemen;

I am commanded by His Excellency the Lieutenant Governor to acquaint you, that His Excellency does not intend to declare the cause of calling this General Assembly until there be a Speaker of the House of Assembly; and therefore you, Gentlemen of the House of Assembly, are to repair to the place where the House of Assembly usually meet, and there proceed to the election of a Speaker, whom you are to present to His Excellency here, immediately, for his approval.

The Members having returned, *John Thomson*, Esq. addressing *Mr. Cullen*, the Clerk, proposed *William Cooper*, Esq. Member for the Second District of King's County, to be their Speaker; and the motion being seconded by *John W. Le Lacheur*, Esq.

And the Clerk, by order of the House, having put the question,

The House divided:

YEAS:

| | |
|-------------------------|--------------------------|
| <i>Mr. Thomson,</i> | <i>Mr. Fraser,</i> |
| <i>Mr. J. Dingwell,</i> | <i>Mr. Rae,</i> |
| <i>Mr. Montgomery,</i> | <i>Mr. Gorman,</i> |
| <i>Mr. Le Lacheur,</i> | <i>Mr. Beck,</i> |
| <i>Mr. Forbes,</i> | <i>Mr. W. Dingwell,</i> |
| <i>Mr. Macniell</i> | <i>Mr. Dalziel,</i> |
| <i>Mr. Arbuckle,</i> | <i>Mr. Macintosh,</i> |
| <i>Mr. Macfarlane,</i> | <i>Mr. D. Macdonald.</i> |

NAYS :

| | |
|--------------------|-----------------------|
| <i>Mr. Pope,</i> | <i>Mr. Longworth,</i> |
| <i>Mr. Clark,</i> | <i>Mr. Hudson,</i> |
| <i>Mr. Palmer,</i> | <i>Mr. Yeo.</i> |

So it was carried in the affirmative ; and Mr. Cooper having been declared by the Clerk to be duly elected, he was conducted to the Chair by Mr. Thomson and Mr. Le Lacheur, and, standing on the upper step, said :

Gentlemen—For the honor you have been pleased to confer, in selecting me to be your Speaker, I return you my sincere thanks. To perform the duties of that office shall have my diligent application ; and I rely on your support to enable me to maintain the rights and privileges of the House of Assembly, and to preserve good order in our relations, by courteous and affable deportment. I hope that our regular attendance in the House, and close application to the public business, will shorten the Session, and consequently lessen the expenses of the Legislature.

Mr. Speaker elect, with the House, then went up to attend His Excellency in the Council Chamber, when Mr. Speaker elect acquainted His Excellency that the House had chosen him to be their Speaker, and humbly trusted their election would meet His Excellency's approbation.

Whereupon the Honorable the President of the Council said—

I am commanded by His Excellency the Lieutenant Governor to say, that His Excellency approves of the Speaker which the House of Assembly have chosen.

And hereupon Mr. Speaker addressed His Excellency to the following effect :

May it please your Excellency ;

As you have been pleased to approve of the choice of the House of Assembly, in appointing me to be their Speaker, it now becomes my duty as such, to request of your Excellency, as the privilege of the House, that the Members thereof, during the Session, may be freed from arrest, that they may have freedom of speech in their debates, and have free access to your Excellency on all occasions ; and I do also, in their name and behalf, beg leave to claim all their ancient rights and privileges.

The President of the Council then replied :

Mr. Speaker ;

I am commanded by His Excellency the Lieutenant Governor to say, that His Excellency most cheerfully grants your request,

conformably to ancient usage, the laws of the land, and the Royal Instructions.

The House being returned, and Mr. Speaker having taken the Chair,

The House proceeded to the choice of Officers ; and thereupon.

Resolved, That Mr. William Cullen be re-appointed and re-sworn to the Office of Clerk of the House of Assembly—and he took the usual Oaths accordingly.

Resolved, That Mr. Solomon Desbrisay be the Serjeant at Arms.

Resolved, That Mr. Henry William Lobban be the Messenger to the House.

Mr. Longworth moved that the Reverend Louis Charles Jenkins be the Chaplain to the House.

The House divided on the question :

YEAS :

| | |
|------------------------|--------------------|
| <i>Mr. Longworth,</i> | <i>Mr. Pope,</i> |
| <i>Mr. Palmer,</i> | <i>Mr. Yeo,</i> |
| <i>Mr. Macfarlane,</i> | <i>Mr. Hudson.</i> |

NAYS :

| | |
|-----------------------------|--------------------------|
| <i>Mr. Thomson,</i> | <i>Mr. Fraser,</i> |
| <i>Mr. J. Dingwell,</i> | <i>Mr. Rae,</i> |
| <i>Mr. Clark,</i> | <i>Mr. Gorman,</i> |
| <i>Mr. Montgomery,</i> | <i>Mr. Beck,</i> |
| <i>Mr. Le Lacheur,</i> | <i>Mr. W. Dingwell,</i> |
| <i>Mr. Forbes,</i> | <i>Mr. Dalziel,</i> |
| <i>Mr. Macniell,</i> | <i>Mr. Macintosh,</i> |
| <i>Mr. Arbuckle,</i> | <i>Mr. D. Macdonald.</i> |
| <i>Mr. J. S. Macdonald,</i> | |

So it passed in the negative.

Ordered, That the Sergeant at Arms do appoint a fit and proper person to be Door-keeper.

Mr. Speaker reported, that when the House did attend His Excellency this day in the Council Chamber, His Excellency was pleased to make a Speech to both Houses of the Legislature, of which, Mr. Speaker said he had, to prevent mistakes, obtained a copy, which was read by the Clerk, and is as follows :

Mr. President, and Gentlemen of the Council :

Mr. Speaker, and Gentlemen of the House of Assembly :

The General Assembly being limited by Law to a duration of four years, and that period having nearly expired, I caused the late House to be dissolved, and

Writs to be issued for the new Elections, at that season which I conceived would be most convenient to the constituency : and I have now called you together for the dispatch of public business, when, I believe, you can best be spared from your private avocations.

I have great pleasure in congratulating you on the abundance which prevails throughout the Colony, in consequence of the late plentiful harvest, and on the effect it has had in so materially increasing the exports of agricultural produce.

I have also much satisfaction in announcing to you that, notwithstanding the reduction of duty on certain articles of Import, which the House of Assembly deemed it expedient to make in the last Session, the Revenue still exhibits an increase over that of the preceding year.

I have received several Despatches from Her Majesty's Government, on various subjects of general and local importance, the substance of which I shall take an early opportunity of laying before you. Among them is one containing the decision of the Crown on the subject of the Fishery Reserves.

Upon all other matters which I may, from time to time, deem essential to the public interests, I shall communicate with you by message.

The recent establishment of Georgetown as a Free Port, is a measure which, I trust, will add to the commercial prosperity of the Eastern Districts.

Mr. Speaker, and Gentlemen of the House of Assembly.

I shall cause the Public Accounts for the past year to be laid before you, at the earliest possible period : and, in submitting the Estimates for the current year, I entertain no doubt that you will make such provision to meet them as the public service may require.

Mr. President, and Gentlemen of the Council.

Mr. Speaker, and Gentlemen of the House of Assembly.

As it is obvious that the interest of the Colony can only be advanced when a spirit of cordiality is preserved between the different branches of the Legislature, I rely with confidence on the continuance of that harmony which has hitherto marked their proceedings. For myself, I beg to assure you of my ready co-operation in every measure calculated to promote the improvement and welfare of the Colony.

Then the House adjourned until to-morrow at Ten o'clock.

WEDNESDAY, January 23, 1839.

RESOLVED, That a Committee of five Members be appointed, to prepare and report Standing Rules and Orders for the governance of this House.

Ordered, That Mr. Thomson, Mr. Clark, Mr. J. S. Macdonald, Mr. Pope and Mr. Longworth do compose the said Committee.

Resolved, That a Committee of three Members be appointed, to receive Tenders for the printing of the Journals of this House for the present Session, and to report thereon to the House.

Ordered, That Mr. Clark, Mr. Hudson and Mr. J. S. Macdonald do compose the said Committee.

Resolved, That a Committee of five Members be appointed, to prepare and report, with all convenient speed, the draught of an Address in answer to the Speech of his Excellency the Lieutenant Governor, delivered yesterday to both Houses of the Legislature.

Ordered, That Mr. Palmer, Mr. Pope, Mr. J. S. Macdonald, Mr. Longworth and Mr. Clark do compose the said Committee.

Resolved, That a Committee be appointed, to examine what Laws have lately expired, or are near expiring, and to report thereon to the House.

Ordered, That Mr. Le Lacheur and Mr. Arbuckle do compose the said Committee.

Resolved, That a Committee be appointed, to revise the Journal of each day after the adjournment.

Ordered, That Mr. Palmer, Mr. Longworth and Mr. Montgomery do compose the said Committee.

Resolved, That a Committee be appointed, to keep up a good correspondence between the two branches of the Legislature, and to report their proceedings from time to time, with power to send for persons, papers and records.

Ordered, That Mr. *Palmer*, Mr. *Clark*, Mr. *Dalziel* and Mr. *Montgomery* do Compose the said Committee.

Ordered That the said Resolution be Communicated by Message to the Legislative Council.

Ordered, That Mr. *Palmer* do carry the said Message to the Council,

Resolved, That a Committee of seven Members be appointed, to examine and report on the Public Accounts with power to send for persons, papers and records.

Ordered, That Mr. *Arbuckle*, Mr. *Le Lacheur*, Mr. *Gorman*, Mr. *Yeo*, Mr. *J. S. MacDonald*, Mr. *Longworth* and Mr. *Hudson* do compose the said Committee.

Resolved, That a Committee be appointed, to examine Bills to be engrossed, or that have been engrossed.

Ordered, That Mr. *Palmer*, Mr. *Arbuckle*, Mr. *Rae*, and Mr. *Thomson* do compose the said Committee.

Mr. *Thomson* gave notice that he will, on Tuesday the 29th inst. move that an Address be presented to his Excellency the Lieutenant Governor, praying that he will be pleased to lay before the House copies of all such parts of the Royal Instructions as in any way relate to the Town and Royalty of Georgetown; also, that he will be pleased to furnish to the House an Account Sales of the Crown Lands sold therein during the past year; and also for a statement of all grants of lands within the said Royalty, which have been given to individuals by directions of the Imperial Government.

Ordered, That a copy of the Journal of this House be sent to His Excellency the Lieutenant Governor, each day, as soon as may be after the adjournment.

Mr. *Rae* moved that a Committee be appointed, to receive Tenders for supplying the House with Stationery.

Mr. *Thomson* moved, in amendment, that all the words in the said motion after the word "that," be expunged, and the following substituted, "the Committee appointed to receive Tenders for printing, do take measures for providing Stationery for the use of the House."—which being seconded and put, was, carried in the affirmative.

The original motion, as amended, was then put and carried.

Resolved, That no Petition praying aid for Roads and Bridges, nor for any object of a local or private nature, be received after Wednesday the 20th day of February next.

Ordered, that the above Resolution be inserted in the different Newspapers published in Charlottetown.

Ordered, That One hundred and thirty-eight copies of the Journals of this House be printed, and that the same be disposed of, as follows:

- 3 Copies to each Member of this House.
- 2 Copies to each Member of the Legislative Council.
- 6 Copies for the Library.
- 6 Copies for the Colonial Department.
- 3 Copies to His Excellency the Lieutenant Governor.
- 1 Copy each to the Assemblies of the Provinces of Upper Canada, Lower Canada, Nova Scotia, New Brunswick, Newfoundland and Jamaica.
- 1 Copy each to the Legislative Councils of the Provinces of Nova Scotia and New Brunswick.

Then the House adjourned until to-morrow at Eleven o'clock.

THURSDAY, January 24, 1839.

MR. *Clark*, from the Committee appointed to receive Tenders for the printing of the Journals of the House, presented to the House the Report of the said Committee, which was again read at the Clerk's Table, and is as followeth:

Your committee have to report, that two Tenders have been sent in, one from Mr. John Henry White, the other from Messrs. Cooper & Co.—the former offering to perform the work at the rate of One pound, thirteen shillings and four-pence per sheet, and the latter at Two

pounds, nine shillings and sixpence per sheet, and both agree to bind at the rate of Five shillings per volume. But as there appears a deviation from the Specification on the part of Mr. White, (although his Tender is much the lowest) your Committee forbear recommending one in preference to the other, and submit the whole for the consideration of the House.

Ordered, That Mr. White's Tender be accepted on his entering into an agreement and giving good security for the due performance of the work.

Mr. Palmer, from the Special Committee appointed to prepare and report the draught of an Address in answer to the Speech of His Excellency the Lieutenant Governor to both Houses at the opening of the present Session, reported the draught of an Address, as prepared by the Committee—and he read the same in his place, and afterwards delivered it in at the Clerk's Table, where it was again read, and is as follows :

To His Excellency SIR CHARLES AUGUSTUS FITZ ROY, K. H. Lieutenant Governor and Commander in Chief in and over Her Majesty's Island Prince Edward, and its Dependencies, Chancellor, Vice Admiral and Ordinary of the same &c. &c. &c.

May it please your Excellency :

We the Representatives of the People of Prince Edward Island, in General Assembly convened, respectfully offer your Excellency our sincere thanks for your Speech, delivered at the opening of the present Session.

We feel thankful to your Excellency, for calling us together for the dispatch of public business, at a time best suited to our personal convenience.

We feel pleasure in reciprocating those feelings of congratulation which your Excellency has been pleased to express on the abundance produced by the late Harvest, and the consequent increase of the export of Agricultural produce.

It is with extreme gratification we learn, that notwithstanding the reduction made by the late House of Assembly, in its last Session, on certain articles of Import, the Revenue is still found to have increased, over that of the preceding year.

We learn with much satisfaction, that your Excellency has received from Her Majesty's Government, Despatches on various subjects of importance to the Colony, and including the decision of the Crown on the subject of the Fishery Reserves. These, with any other

documents your Excellency may be pleased to lay before us, shall receive our earliest and best attention.

The advantages which will be extended to the commercial prosperity of the Eastern Districts, by the establishment of Georgetown as a Free Port, cannot fail to create in the minds of the inhabitants of those sections of the Island in particular, a merited gratitude for the privilege your Excellency has procured for them.

We will be ready to enter into the investigation of the Public Accounts for the past year, as soon as your Excellency may be pleased to lay them before us ; and in proceeding upon the Estimates for the current year, we will carefully and readily, so far as the means at our disposal may warrant, make every provision for the public service that the exigencies of the country may require.

Convinced that without a constant unanimity between the different branches of the Legislature, it cannot be expected that our deliberations can advance or promote the interests of the Colony ; we beg to assure your Excellency, that, stimulated by your generous assurance of co-operation, we will study to preserve uninterrupted that harmony which your Excellency has been pleased to denote as having hitherto marked the proceedings of the different branches of the Legislature.

Ordered, That the said draught Address be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Palmer took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Palmer reported, that the Committee had gone through the Address reported from the Special Committee, paragraph by paragraph, without making any amendment thereto.

Ordered, That the said Address be engrossed.

Resolved, That the said Address be presented to His Excellency the Lieutenant Governor, by the whole House.

Ordered, That Mr. Palmer, Mr. J. S. Macdonald and Mr. Longworth be a Committee to wait on his Excellency, to know his pleasure when he will be attended by the House with the Address.

Mr. Thomson, reported from the Committee appointed to prepare and report Standing

Orders for the governance of this House; and he read the Report in his place, and afterwards delivered it in at the Clerk's Table, when it was again read.

Ordered, That the said Report be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Thomson took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thomson reported, that the Committee had gone into the consideration of the Report of the Special Committee referred to them, had amended, and then adopted the same; and he delivered it in at the Clerk's Table, where it was again read and agreed to by the House, and is as followeth:

FIRST—That Twelve Members and the Speaker make a *Quorum*, to act as if all the Members were present, and to proceed to any business.

SECOND—That Six Members and the Speaker be a *Quorum* to meet and adjourn, as they see convenient, and to send for absent Members.

THIRD—When the Speaker assumes the Chair, every Member to take his place, privileged to keep his head covered when seated only.

FOURTH—No Member upon coming into the House, or in removing from his place, is to pass between the Speaker and any other Member then Speaking.

FIFTH—When any Member intends to speak, he is to stand up with his head uncovered, and Address himself to the Speaker.

SIXTH—If two or more Members stand up and address the Chair, the Speaker is to determine the prior right of Speech in favour of him who stood up first.

SEVENTH—No Member to interrupt another while speaking—to the end that regularity and good order may prevail.

EIGHTH—That no Bill shall pass this House, until the same be three times audibly and distinctly read.

NINTH—Upon any material question or business being agitated in the House, and it is deemed necessary that a Committee of the whole House shall be

formed, and the same being made by motion and agreed to by a majority, the Speaker shall leave the Chair, and a Chairman shall be chosen, who is to report the proceedings of such Grand Committee in the body of the House.

TENTH—That no Bill shall have more than one reading on the same day; and that every Bill shall be introduced by a motion for leave, specifying the object of the Bill; or by a motion to appoint a Committee to prepare and bring it in; or by an order of the House on the report of a Committee; and when any Bill shall be brought down to this House from the Council, or when any Bill sent up from this House to the Council shall be returned with amendments, such Bill so brought down, or the amendments, shall undergo the same readings and formal consideration, and the same shall be committed, and be subjected to the same order, forms and stages, as are observed upon Bills originating in this House—unless upon special motion and order to the contrary.

ELEVENTH—That during the proceedings of this House upon the decision of any question a division may be called for, and the names of the Members voting thereon shall be taken down, at the request of any one Member.

TWELFTH—That all Orders of the Day which by reason of any adjournment shall not have been proceeded upon, shall be considered as postponed until the next day on which the House shall sit, and shall then stand first on the order of the day.

THIRTEENTH—That an Order Book be kept by the Clerk, in which Members desirous of introducing any subject to the consideration of the House, unconnected with any measure actually in progress, shall be required to enter notice thereof, specifying the day on which the same shall be brought forward, giving at least twenty-four hours notice—not to extend to questions of privilege.

FOURTEENTH That when a Call of the House is ordered, such Members as shall not attend at the time appointed (unless a sufficient excuse is made, when their

names are called over, and their absence for some special reason expressed,) shall be taken into custody—and their excuses shall not be heard until the day following.

FIFTEENTH—That the papers and accounts presented to this House be carefully preserved by the Clerk, to whose custody they are intrusted; and that no person be permitted, without leave of the House, to take the same from the House under any pretence whatever; and if any person shall presume to take any accounts or papers from the House, that the said Clerk do forthwith acquaint Mr. Speaker, that the House may be informed thereof.

SIXTEENTH—That at the end of each Session, the Clerk do see that the Journal of the Session is properly made out and fairly transcribed, from the Minute Book, the printed Votes, and the original Papers that have been laid before the House; and that he shall prepare a suitable Index to the Printed Journals, to be attached thereto.

SEVENTEENTH—That no person whatever (not a Member of this House, or of Her Majesty's Council,) shall be permitted to enter the Clerk's Copying Room.

EIGHTEENTH—That every day, immediately after the Speaker shall have taken the chair, the Minutes of the preceding day shall be read by the Clerk, to the end that any mistake therein may be corrected by the House, and that during the reading of the Minutes, the doors shall be closed.

NINETEENTH—That the Serjeant at Arms shall be intitled to take and receive the following Fees:

| | | |
|---|-------|--------|
| For taking a Member of the House into custody | - - - | £0 3 9 |
| For taking a stranger into custody | | 0 3 9 |
| For every day in custody | - - | 0 5 0 |
| For bringing a Member of the House to the Bar, to be reprimanded | | 0 2 6 |
| For bringing any other person to the Bar, to be reprimanded | - | 0 5 0 |
| For travelling charges, when ordered by the House, for every mile travelled | - - - | 0 0 6 |

STANDING ORDERS RELATIVE TO PRIVATE BILLS.

1. That all Petitions for private Bills be presented within Fourteen days after the commencement of every Session.

2. That no private Bill be brought into this House but upon a Petition first presented, truly stating the case, at the peril of the parties preferring the same; and that such Petition be signed by the parties who are suitors for such Bill.

3. That a Committee be appointed, at the commencement of every Session, consisting of Five Members, of whom three shall be a quorum, to be denominated 'The Private Bill Committee,' to whom shall be referred every private Bill; and that no proceedings be had upon any such Bill until such Committee have reported thereupon to the House.

4. That as soon as the Committee have reported any Bill, such Bill, together with the amendments, if any, suggested by the Committee, be printed at the expense of the parties who are suitors for such Bill, and printed copies thereof delivered to the Members before the second reading, if deemed necessary by the Committee.

5. That no Bill for the particular interest of any person or persons, corporation or corporations, or body or bodies of people, be read a second time, untill all Fees be paid for the same into the hands of the Clerk of the House.

Mr. *Le Lacheur*, from the Committee appointed to examine what Laws have lately expired, or are near expiring, presented to the House the Report of the said Committee, which was again read at the Clerk's Table, and is as followeth:

The following Acts passed in the Fifth year of the Reign of His late Majesty King George the Fourth, and continued for a limited period by an Act passed in the Ninth year of the same reign, intituled 'An Act for continuing several Laws near expiring,' will expire the last day of the present Session, viz.

'An Act to regulate the Fisheries of this Island.

'An Act to amend certain parts of an Act, intituled *An Act for preventing Trespasses by unruly Horses, Cattle and Sheep, and for preventing the running of Hogs at large*

through the Town of Charlottetown, by the appointment of Hog Reeves.'

An Act to continue an Act, intituled *An Act for regulating Juries, and further declaring the qualifications of Jurors.*

'An Act to prevent the destruction of Sheep by Dogs.'

The Act, 3 Will. 4, cap. 4, intituled 'An Act to continue an Act authorising the formation of a Fire Engine Company for the Town of Charlottetown,' will expire the last day of the present Session.

The Act, 3 Will. 4, cap. 23, intituled 'An Act to empower the Administrator of the Government to shut up such Roads, or parts of Roads, as are no longer required,' will expire the last day of the present Session.

The Act, 3 Will. 4, cap. 32, intituled 'An Act for the regulation of the Public Wharf of Charlottetown,' will expire the last day of the present Session.

The Act, 3 Will. 4, cap. 37, intituled 'An Act to make and keep in repair the Pumps and Wells of Charlottetown, and for other purposes, and to repeal a certain Act therein mentioned,' will expire the last day of the present Session.

The Act, 6 Will. 4, cap. 2, intituled 'An Act to provide against accidents by Fire, and for the improvement of Property in Georgetown,' will expire the last day of the present Session.

The Act, 7 Will. 4, cap. 26, intituled 'An Act to continue an Act for regulating the weight and quality of Bread within the Town of Charlottetown,' will expire the last day of the present Session.

The Act, 7 Will. 4, cap. 25, intituled 'An Act to authorize the appointment of a Coa Meter for Charlottetown,' will expire the last day of the present Session.

The Act, 1 Vict. 1, cap. 17, intituled 'An Act to continue for one year, and to amend an Act passed in the Seventh year of His late Majesty's Reign, intituled *An Act for the increase of the Revenue of this Island,*' will expire on the 7th day of May next.

Ordered, That the said Report be referred to a Committee of the whole House to-morrow.

A Message from the Council, by Mr. Desbrisay, their Deputy Clerk.

'Council Chamber,
'Thursday, January 24, 1839.

'Resolved, that a Committee be appointed to join the Committee of the House of Assembly, to keep up a good correspondence between the two Houses of the Legislature, and to report their proceedings from time to time; with power to send for persons papers and records.

'Ordered that the Honorables Colonel Lane and Mr. Attorney General do compose the said Committee.

'Ordered, that the said Resolution be communicated by message to the House of Assembly.

And then the Messenger withdrew.

Then the House adjourned until to-morrow at Eleven o'clock.

FRIDAY, January 25, 1839.

THE Order of the day for the House in Committee on the consideration of the Report of the Special Committee appointed to examine and report on the expiring Laws, being read:

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Le Lacheur took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Le Lacheur reported, that the Committee had come to several Resolutions; which Resolutions were again read at the Clerk's Table, and are as follow:

1.—RESOLVED; That it is the opinion of this Committee, That the Act, 5 Geo. 4, cap. 12, for regulating the Fisheries of this Island, be referred to a special Committee, to report thereon, by Bill or otherwise.

2.—RESOLVED, That it is the opinion of this Committee, That the several Acts relating to Charlotte-town, now about to expire, be referred to a special Committee;

to report thereon from time to time, by Bill or Bills, or otherwise—with power to send for persons, papers and records.

3.—RESOLVED, That it is the opinion of this Committee, that it is expedient that the Act 3 Will. 4, cap. 23, empowering the Administrator of the Government to shut up such Roads, or parts of Roads, as are no longer required, be continued and amended.

4.—RESOLVED, That it is the opinion of this Committee, that it is expedient, that the Act, 6 Will. 4, cap. 2, for preventing accidents by Fire, and for the improvement of Property in Georgetown, be allowed to expire, and that a Bill be brought in, substituting other provisions in lieu thereof.

5.—RESOLVED, That it is the opinion of this Committee, that it is expedient that the Act 5 Geo. 4, cap. 10, intituled "An Act to prevent the destruction of "Sheep by Dogs," be amended, and further continued.

6.—RESOLVED, That it is the opinion of this Committee, that it is expedient that the Act for regulating Juries, and further declaring the qualifications of Jurors, be amended and further continued.

And the said Resolutions, being again read throughout, were, upon the question put thereon, agreed to by the House.

The Chairman then acquainted the House, that he was directed by the Committee to move for leave to sit again—which the House agreed to.

Ordered, That Mr. Longworth, Mr. Thomson, Mr. Clark, Mr. Montgomery, Mr. Macneill, Mr. J. Dingwell and Mr. D. Macdonald be a Committee for the purpose mentioned in the First of the above reported Resolutions.

Ordered, That Mr. Palmer, Mr. Longworth, and Mr. J. S. Macdonald, be a Com-

mittee for the purpose mentioned in the Second of the above reported Resolutions.

Ordered, That Mr. Arbuckle, Mr. D. Macdonald and Mr. Rae be a Committee to prepare and bring in a Bill, pursuant to the Third of the above reported Resolutions.

Ordered, That Mr. Thomson, Mr. J. Dingwell and Mr. Rae, be a Committee, to prepare and bring in a Bill, pursuant to the Fourth of the above reported Resolutions.

Ordered, That Mr. J. S. Macdonald, Mr. Clark, and Mr. Macintosh be a Committee, to prepare and bring in a Bill, pursuant to the Fifth of the above reported Resolutions.

Ordered, That Mr. Arbuckle, Mr. Palmer, Mr. Hudson, Mr. Yeo and Mr. Pope be a Committee, to prepare and bring in a Bill, pursuant to the Sixth of the above reported Resolutions.

Mr. Palmer, from the Committee appointed to wait on His Excellency, the Lieutenant Governor, to know his pleasure when he will be attended by the House with the Address, reported, that His Excellency had been pleased to appoint to-morrow, at half past One o'clock, to receive the House.

Resolved, That a Committee of five Members, of whom three shall be a Quorum, be appointed, to whom shall be referred every Private Bill, to report thereon.

Ordered, That Mr. Thomson, Mr. Rae, Mr. Le Lacheur, Mr. Palmer, and Mr. Gorman do compose the said Committee.

Then the House adjourned until to-morrow at Eleven o'clock.

SATURDAY, January 26, 1839.

MR. Longworth, from the Committee to whom was referred the several Acts about to expire, relating to Charlotte-town, with leave to report from time to time, by Bill or otherwise, presented to the House a Bill to prevent the running at large of Hogs within the Town of Charlottetown, by the appointment of Hog Reeves, and the same was read the first time.

Ordered, That the said Bill be read a second time on Monday next.

The Hour appointed by His Excellency the Lieutenant Governor to receive the Address, having arrived, Mr. Speaker and the House went up—and being returned, Mr. Speaker reported, That the House had attended upon His Excellency and presented their Address, to which His Excellency was pleased to make the following reply :

Mr. Speaker and Gentlemen of the House of Assembly ;

I thank you for this Address, and for the assurance that your earliest and best attention shall be devoted to such Despatches and other matters as I may have to submit for your consideration.

I cannot fail to be highly gratified by the desire you express for a continuance of harmony and unanimity with the other branches of the Legislature.

Then the House adjourned until Monday next, at Twelve o'clock.

MONDAY, January 28, 1839.

THE Bill to prevent the running at large of Hogs within the Town of Charlottetown, was, according to order, read a second time.

Ordered, That the said Bill be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair,

Mr. Longworth took the Chair of the Committee,

Mr. Speaker resumed the Chair,

The Chairman reported, That the Committee had made some progress, and had directed him to move for leave to sit again—which the House agreed to.

Three Messages from His Excellency the Lieutenant Governor.

Mr. Secretary Collins, by His Excellency's command delivered the following Messages :

[FIRST MESSAGE.]

CHARLES A. FITZ ROY, Lieut. Governor.

The Lieut. Governor lays before the House of Assembly, the Copy of a Despatch from the Right Honorable Lord Glenelg, dated the 30th May last, stating that Her Majesty had been pleased to receive very graciously the Joint Address of congratulation of the Legislative Council and House of Assembly of this Island ; and conveying Her Majesty's satisfaction at the attachment to Her person and government therein expressed.

Government House, January 28th, 1839.

[COPY.]

No. 49. Downing Street, 30th May, 1838.

SIR,

I have had the honour to lay at the foot of the Throne, the Joint Address from the Council and Assembly of Prince Edward Island, which accompanied your Des-

patch of the 27th March, No. 10. Her Majesty was pleased to receive this Address very graciously, and to command me to convey through you, to the Council and Assembly of Prince Edward Island, Her satisfaction at the attachment to Her Person and Government which they have expressed.

It will ever be Her Majesty's anxious wish to consult the wishes, and to promote the interests of Her faithful Subjects, the Inhabitants of Prince Edward Island.

I have, &c.

(Signed)

GLENELG.

Sir Charles A. Fitz Roy, &c. &c.

[SECOND MESSAGE.]

CHARLES A. FITZ ROY, Lt. Governor.

The Lieutenant Governor lays before the House of Assembly, for their information, Copies of five Despatches from the Right Honorable Lord Glenelg, containing Orders of Her Majesty, in Council specially confirming and leaving to their operation the several Acts, passed by the Legislature, therein enumerated.

Government House, 28th January 1838.

[COPY.]

No. 28. Downing Street, 28th February, 1838.

SIR,

I have had under my consideration an Act, passed by the Legislature of Prince Edward Island (No. 452), with a suspending clause, to enable the Proprietors of the Bank of British North America to sue and be sued in the name of one of the local Directors or Managers.

Had the Act been strictly confined to its professed object, I should not have hesitated in advising Her Majesty to confirm it. But at the end of one of its clauses is introduced—providing “that nothing in this Act, or in “any other Act of the General Assembly of this Island, “shall prevent the Company from issuing Notes under “Five Pounds.”

If the Law in Prince Edward Island be, that Notes under £5 shall not be issued, this clause would give to the Company an exclusive privilege, to which I should object ; and, at all events, the introduction of a provision

of this nature is entirely beyond the scope and object of the Bill, as declared in the Title.

Her Majesty's Government entertains a strong objection to this provision; and but for the great importance which you state to be attached to the confirmation of this Act, would not have advised Her Majesty to confirm it, until the clause in question had been repealed. Unwilling, however, to occasion so much delay as would thus be incurred, the Queen has been advised to sanction this Act, which Her Majesty has been pleased to do, by the inclosed Order, passed on the 15th instant: and I have only to hope, that if the Law on this subject be as I have supposed it to be, the Company will lose no time in obtaining the repeal of the objectionable clause.

I have, &c.

(Signed)

GLENELG.

Lieutenant Governor
of Prince Edward Island.

At the COURT AT BUCKINGHAM PALACE,
the 15th, February, 1838.

Present:

The QUEEN'S MOST EXCELLENT MAJESTY;

Lord Chancellor, Earl of Minto,

Lord President, Viscount Palmerston,

Lord Steward, Viscount Melbourne,

Lord Chamberlain, Viscount Howick,

Earl of Albemarle, Sir John Hobhouse, Bart.

WHEREAS the Governor of Her Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did in the month of April, 1837, pass an Act, which has been transmitted, entitled as follows, viz.

No. 452.—“An Act to enable the Proprietors or “Shareholders of a Company, called the Bank of British “North America, to sue and be sued in the name of any “one of the local Directors, or of the Manager or Agent “for the time being, of the said Company in this “Island.”

And whereas the said Act has been referred to the Committee of the Lords of Her Majesty's most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations and the said Committee have reported as their opinion to Her Majesty, that the said Act should receive Her Majesty's special confirmation; Her Majesty was thereupon this day pleased, by and with the advise of Her Privy Council, to declare Her special confirmation of the said Act; and the same is hereby specially confirmed, ratified, and finally enacted accordingly: whereof the Governor,

Lieutenant Governor or Commander in Chief, for the time being, of Her Majesty's Island of Prince Edward, and all other persons whom it may concern, are to take notice, and govern themselves accordingly.

(Signed)

C. GREVILLE.

No. 46.

Downing Street, 28th May, 1838.

SIR,

I had the honor to receive, on the 25th of April last, your Despatch (No. 9) of the 12th March, transmitting an Act, passed by the Legislative Council and Assembly (No. 484) on the 9th March, for amending the Election Law of the Island.

Your Despatch, stating the importance attached to the early confirmation of this Act, which had been suspended in its operation for the signification of Her Majesty's pleasure thereon, I lost no time in submitting it to the Queen in Council; and I have the honor to transmit to you, an Order passed by Her Majesty in Council on the 15th instant, specially confirming the Act in question.

On the 21st instant I received a Memorial stated to be from a Committee in Prince Edward Island, nominated by the inhabitants, to manage the proceedings to obtain an Escheat of the forfeited Lands, &c. praying that Her Majesty might be advised to withhold the Royal Assent from the above mentioned Bill. You will, however, perceive from what I have just stated that this Memorial did not arrive until after this Bill had received Her Majesty's special confirmation, and you will have the goodness to explain these circumstances to the parties interested.

I have, &c.

(Signed)

GLENELG

Lieut. Governor
of Prince Ed. Island.

At the COURT AT BUCKINGHAM PALACE,
the 15th May; 1838.

Present.

The QUEEN'S MOST EXCELLENT MAJESTY;

Lord Chancellor, Viscount Palmerston.

Lord President, Viscount Melbourne,

Lord Steward, Viscount Howick,

Lord Chamberlain, Lord Glenelg,

Earl of Albemarle, Mr. Poulett Thompson.

Earl Minto,

WHEREAS the Governor of Her Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did in the month of March last, pass an

Act which has been transmitted, intituled as follows, viz.

No 484.—“ An Act to alter and amend an Act passed in the Sixth year of the Reign of His late Majesty, intituled ‘ An Act to consolidate and amend the Election Laws.’ ”

And whereas the said Act has been referred to the Committee of the Lords of Her Majesty’s Most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations ; and the said Committee have reported as their opinion to Her Majesty, that the said Act should receive Her Majesty’s special confirmation, Her Majesty was thereupon this day pleased, by and with the advice of Her Privy Council, to declare Her special confirmation of the said Act, and the same is hereby specially confirmed, ratified and finally enacted accordingly :—Whereof the Governor, Lieutenant Governor, or Commander in Chief for the time being of Her Majesty’s Island of Prince Edward, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

C. GREVILLE.

No. 54. Downing Street, 5th July, 1838.

Sir,

An Act passed by the Lieutenant Governor, Council, and Assembly of Prince Edward Island, in the month of April, 1836, and numbered 448, having been referred by the Queen in Council to the Lords of the Committee of Privy Council for Trade and Foreign Plantations, that Committee have reported to Her Majesty in Council their opinion, that the said Act should be left to its operation. I have the honor to transmit to you herewith an Order of Her Majesty in Council, dated the 20th June last, approving that Report.

I have, &c.

(Signed)

GLENELG.

The Lieutenant Governor
of Prince Edward Island.

At the COURT AT ST. JAMES’S,
the 20th June, 1838.

Present :

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|--------------------------------------|------------------------|
| The QUEEN’S MOST EXCELLENT MAJESTY ; | |
| Lord Chancellor, | Viscount Melbourne, |
| Lord President, | Viscount Howick, |
| Lord Steward, | Lord Glenelg, |
| Lord Chamberlain, | Mr. Poulett Thomson, |
| Earl of Albemarle, | Sir John Hobhouse, Bt. |

Earl of Minto,

Lord John Russel,

Mr. Chancellor of the

Exchequer.

WHEREAS the Governor of Her Majesty’s Island of Prince Edward, with the Council and Assembly of the said Island, did in the month of April, 1836, pass an Act, which has been transmitted, entitled as follows, viz.

No. 478.—*An Act to incorporate the Trustees of Saint Andrew’s College, and to repeal a certain Act therein mentioned.*

And whereas the said Act has been referred to the Committee of the Lords of Her Majesty’s most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations, and the said Committee have reported as their opinion to Her Majesty, that the said Act should be left to its operation. Her Majesty was pleased, by and with the advice of Her Privy Council, to approve the said Report : Whereof the Governor, Lieutenant Governor, or Commander in Chief for the time being, of Her Majesty’s Island of Prince Edward, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

C. GREVILLE.

No. 59. Downing Street, 31st July, 1838.

Sir,

Various Acts passed by the Lieutenant Governor, Council and Assembly of Prince Edward Island, in the months of March and April last, having been referred by the Queen in Council to the Lords of the Committee of Privy Council for Trade and Foreign Plantations, that Committee have reported to Her Majesty in Council their opinion, that the said Acts should be left to their operation.

I have the honor to transmit to you an Order of Her Majesty in Council, dated the 30th inst. approving of that Report.

I have, &c.

(Signed)

GLENELG.

Lieutenant Governor of
Prince Edward Island.

At the COURT AT BUCKINGHAM PALACE,
the 30th July, 1838.

Present :

| | |
|------------------------------------|------------------|
| The QUEENS MOST EXCELLENT MAJESTY. | |
| Lord Chancellor, | Viscount Howick, |
| The Lord President, | Lord Glenelg, |

Viscount Palmerston, *Sir John Hobhouse, Bart.*
Viscount Melbourne, *Mr. Chancellor of the*
 Exchequer.

WHEREAS the Governor of Her Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did in the months of March and April last, pass Eleven Acts, which have been transmitted, entitled as follows, viz.

No. 485.—'An Act to amend an Act passed in the third year of His late Majesty's Reign, intituled an Act to regulate the performance of Statute Labour on the High Ways, and for other purposes therein mentioned.'

No. 486.—'An Act to provide for the management of the Charlottetown Ferry, by the use of a Team Boat.'

No. 488.—'An Act to continue an Act passed in the Seventh Year of His late Majesty's Reign, empowering the Inhabitants of Charlottetown to assess themselves, for the purpose of purchasing or renting Sites for Engine Houses, and for erecting such Buildings thereon.'

No. 489.—'An Act to continue an Act passed in the Fourth Year of His late Majesty's Reign, for the better preventing Accidents by Fire within the Town of Charlottetown.'

No. 493.—'An Act for the regulation of Grist Mills in this Island, and to repeal the Acts formerly passed for that purpose.'

No. 494.—'An Act to amend an Act, intituled an Act to regulate and establish the stated times and places for holding the Supreme Court in King's and Prince Counties, and to constitute the Michaelmas Term of the said Court in Queen's County, a Term for the trial of Issues for a limited period.'

No. 496.—'An Act to prevent the Streets and Squares of Charlottetown being incumbered with Nuisances.'

No. 497.—'An Act to prevent disorderly Riding, and to regulate the driving of Carriages on the Streets and Public Roads.'

No. 498.—'An Act relating to the Office of Surrogate and Judge of Probate of Wills, and for granting Letters of Administration.'

No. 499.—'An Act to further amend an Act of the Tenth Year of the Reign of His late Majesty King George the Fourth, intituled an Act to regulate the laying out and altering of High Ways, and to provide a mode of obtaining compensation for those who may thereby be injured, and to cause those who are benefited thereby to contribute towards their formation.'

No. 502.—'An Act for appropriating certain Moneys therein mentioned, for the service of the Year of our Lord one thousand eight hundred and thirty-eight.'

And whereas the said Acts have been referred to the Committee of the Lords of Her Majesty's most Honorable Privy Council, appointed for the consideration of all matters relating to trade and Foreign Plantations, and the said Committee have reported as their opinion to Her Majesty, that the said Acts should be left to their operation—Her Majesty was thereupon this day pleased, by and with the advice of Her Privy Council, to approve the said Report:—Whereof the Governor, Lieutenant Governor, or Commander in Chief for the time being of Her Majesty's Island of Prince Edward, and all other persons whom it may concern, are to take notice, and govern themselves accordingly.

C. GREVILLE.

No. 77. Downing Street, 3d December, 1838.

SIR,

Various Acts, passed by the Lieutenant Governor, Council and Assembly of Prince Edward Island, and numbered 487, 491, 492, 500, and 501, transmitted in your Despatch No. 16, having been referred by the Queen in Council, to the Lords of the Committee of Privy Council for Trade and Foreign Plantations, that Committee have reported to Her Majesty in Council their opinion that the said Acts should be left to their operation.

I have the honor to transmit to you herewith, an Order of Her Majesty in Council, dated the 29th ultimo, approving that Report.

I have the honor to be, Sir,

Your most obedient

Humble Servant,

GLENELG.

Lieutenant Governor
of Prince Edward Island.

At the COURT AT BUCKINGHAM PALACE,
The 29th of November, 1838.

Present :

The QUEEN'S MOST EXCELLENT MAJESTY ;

Lord Chancellor, *Viscount Howick,*

Lord President, *Lord Hill,*

Lord Privy Seal, *Lord Glenelg,*

Lord Chamberlain, *Sir John Hobhouse, Bart.*

Earl of Albemarle, *Mr. Chancellor of the*

Viscount Palmerston, *Exchequer.*

WHEREAS the Governor of Her Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did, in the Months of March and April,

1838, pass Five Acts, which have been transmitted, entitled as follows, viz.

No. 487.—‘An Act for further continuing an Act passed in the Fifth Year of the Reign of His late Majesty King William the Fourth, intituled an Act to provide for the payment of Interest on Warrants, which are not paid at the Treasury on demand.’

No. 491.—‘An Act to provide Salaries of Sub-Collectors of Customs at the several Out-Ports therein mentioned.’

No. 492.—‘An Act to make provision for the payment of a portion of the Expensé of maintaining Light Houses, and for the erection and maintenance of Buoys and Beacons.’

No. 500.—‘An Act to continue for One Year, and to amend an Act passed in the Seventh Year of His late Majesty’s Reign, intituled an Act for the increase of the Revenue of this Island.’

No. 501.—‘An Act to reduce the Penalty imposed on certain offences by an Act of the imperial Parliament, passed in the Seventh Year of the Reign of His late Majesty, intituled an Act for punishing Mutiny and Desertion, and for the better payment of the Army and their Quarters.’

And whereas the said Acts have been referred to the Committee of the Lords of Her Majesty’s Most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations, and the said Committee have reported as their opinion to Her Majesty, that the said Acts should be left to their operation—Her Majesty was thereupon, this day pleased, by and with the advice of Her Privy Council, to approve the said Report: Whereof the Governor, Lieutenant Governor, or Commander in Chief, for the time being, of Her Majesty’s Island of Prince Edward, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

W. L. BATHURST,

[THIRD MESSAGE.]

CHARLES A. FITZ ROY, Lt. Governor.

The Lieutenant Governor lays before the House of Assembly, for their information and guidance, the copy of a Despatch from the Right Honorable Lord Glenelg, dated the 3d December last, conveying Her Majesty’s commands on the appropriation of the proceeds of the Glebe and School Lands, sold under the Colonial Act, 5 Will. 4th, cap. 13.

Government House, 23th January, 1839.

List of papers accompanying the Lieutenant Governor’s Third Message.

No. 1. Copy of Despatch from Lord Glenelg to Sir Charles Augustus Fitz Roy, dated third December, 1838.

2. Letter from the Bishop of Nova Scotia to Lord Glenelg, dated twenty-third July, 1838.

3. Observations on the Joint Report of the Council and Assembly, on the subject of the Glebe and School Lands, by certain individuals in Charlottetown.

4. Second Letter from the Bishop of Nova Scotia to Lord Glenelg, of the same date as the former.

5. Report of the Law Officers of the Crown relative to the exclusive right of the Church of England to the reserved Lands.

[See Appendix (A.) at the end of the Journal of this Session.]

Ordered, That the said Messages and accompanying documents do lie on the Table.

Mr. *Rae*, from the Committee appointed to prepare and bring in a Bill to amend and continue the Act, 3 Will. 4, cap. 23, empowering the Administrator of the Government to shut up such Roads, or parts of Roads, as are no longer required, presented to the House a Bill, as prepared by the Committee, and the same was read the first time.

Ordered, That the said Bill be read a second time on Friday next.

Resolved, That the House do now resolve itself into a Committee of the whole House, on the further consideration of the Bill to prevent the running of Hogs at large in the Town of Charlottetown,

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Longworth took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. *Longworth* reported, that the Committee had gone through the Bill, and made several amendments thereto; which amendments were again read at the Clerk’s Table, and agreed to by the House.

Ordered, That the said Bill be engrossed, and that the Title be *An Act to provide against the running at large of Hogs in the Streets and Squares of Charlottetown.*

Mr. *Pope*, presented to the House the Report of a Committee appointed by the House of Assembly in 1837 and 1838, for the purpose of selecting and ordering an additional number of Books for the Library of the House; which Report was again read at the Clerk's Table, and is as followeth:

The Committee appointed in 1837 and 1838, to superintend the selection and importation of Books for the Library of the House, have to report:—That an Order was transmitted by them, through the Reverend Richard Knight, to London, in August last, for several works which have since arrived.

That several of the works, so ordered, being in the course of publication, and a greater number of volumes (particularly of Lardner's Cyclopaedia) being out than the Committee were aware of at the time the order was given, the said Books have amounted to a larger sum than was placed at the disposal of the Committee, and for which the Committee consider themselves personally responsible—but as the want of the volumes alluded to, as causing such over expenditure would render some of the works incomplete, the Committee refrained from disposing of them until the House of Assembly should be afforded an opportunity of purchasing them.

Annexed is an Invoice of Books amounting to £71. 8s. 6d. Sterling, to which must be added the sum of £1. 14s. 6d. Halifax currency. The sum placed at the disposal of the Committee was Sixty pounds currency, consequently should the House decide on taking the whole of the Books, the Balance due to the Committee will amount to £45 3s. 2½d.

Joseph Pope,
Edward Palmer.

London, Sept. 20, 1838.

Reverend R. Knight,

Bought of John Mason,

Conference Office, City Road, and 66 Paternoster Row.

| | | | |
|---|----|----|------|
| 1 Martin's Colonies, 10 vols. half calf, gilt | L4 | 16 | 0 |
| 1 Davy's Chemistry, 8 vols. | - | 0 | 17 6 |
| 1 Hallam's Middle Ages, 3 vols. 8vo | - | 2 | 3 6 |
| 1 ——— History, 3 vols. 8vo | - | 2 | 3 6 |
| 1 Hume and Smollett, 10 vols. 8vo | - | 6 | 0 0 |
| 1 Hughes's Continuation, 7 vols. | - | 4 | 11 0 |
| 1 Macdonald's Dictionary, 12mo | - | 0 | 9 6 |
| 1 Macculloch's do 8mo | - | 2 | 12 6 |
| 1 Lardner's Cyclopaedia, vol. 1 to 106 | - | 42 | 8 0 |
| 1 Bentham's Legislation, 8vo | - | 1 | 6 0 |
| 1 ——— Fallacies, 8vo | - | 0 | 14 6 |
| 1 Montesquieu's Spirit of Laws, | - | 0 | 19 0 |
| 1 Chitty's Law of Nations, royal 8vo | - | 1 | 11 6 |
| 1 Magistrate's Pocket Book, | - | 1 | 3 0 |

L71 8 6

Ordered, That the Report be received; and thereupon,

Resolved, That an humble Address be presented, to His Excellency the Lieutenant Governor, praying that he will be pleased to issue his Warrant on the Treasury for the sum of £45 3s 2½d to be paid to the Reverend Richard Knight, being the balance due to him for the purchase of certain Books for the use of the Legislature; and this House will provide for the same when in Supply.

Ordered, That Mr. *Pope*, Mr. *Palmer*, and Mr. *Arbuckle*, be a Committee to prepare the said Address.

Then the House adjourned until to-morrow at Eleven o'clock.

TUESDAY, January 29, 1839.

READ a third time, as engrossed, the Bill intituled *An Act to provide against the running at large of Hogs, in the Streets and Squares of Charlottetown.*

Resolved, That the said Bill do pass.

Ordered, That Mr. *Longworth* do carry the said Bill to the Council, and desire their concurrence.

Resolved, That an humble Address be presented to His Excellency the Lieutenant Go-

vernor, praying that he will be pleased to cause to be laid before the House, copies of such parts of the Royal Instructions, as in any way relate to the Town and Royalty of Georgetown; also, that he will cause an Account Sales of the Crown Lands sold there during the past year, to be laid before the House; and also, a statement of all Grants of Lands within the said Royalty, which have been given to individuals by directions from

the Imperial Parliament.

And thereupon Mr. *Thomson* presented the draught of an Address, which was read at the Clerk's Table, and is as followeth :

To His Excellency SIR CHARLES AUGUSTUS FITZ ROY, K. H. Lieutenant Governor and Commander in Chief in and over Her Majesty's Island Prince Edward, and its Dependencies, Chancellor, Vice Admiral and Ordinary of the same &c. &c. &c.

May it please your Excellency :

The House of Assembly beg leave most respectfully to request that your Excellency will be pleased to cause to be laid before the House, extracts from all such parts of the Royal Instructions as in any wise relate to the Town and Royalty of Georgetown.

Also an Account Sales of the Crown Lands sold therein during the past year.

And also a statement of all Grants of land within the said Royalty, which from time to time have been given to individuals by orders of the Imperial Government, together with copies of any such orders.

Ordered, That the said draught Address be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair,

Mr. Arbuckle took the Chair of the Committee.

Mr. Speaker resumed the Chair,

Mr. *Arbuckle* reported, that the Committee had gone through the Address referred to them, paragraph by paragraph, without making any amendment thereto—and the Report being again read at the Clerk's Table, was agreed to by the House.

Ordered, That the said Address be engrossed.

Ordered, That Mr. *Thomson*, Mr. *Palmer*, and Mr. *Forbes* be a Committee to wait upon his Excellency with the said Address, who returning, reported, that they had performed the duty assigned them, and that his Excellency was pleased to say, he would cause the documents mentioned in the Address to be laid before the House.

A Message from His Excellency the Lieutenant Governor.

Mr. Secretary Collins, by His Excellency's command delivered the following Message :

CHARLES A. FITZ ROY, Lieut. Governor.

The Lieutenant Governor lays before the House of Assembly, copies of Several Despatches on the Fishery Reserves in this Island, adverted to in his Speech, delivered at the opening of the present Session, and as it is the determination of Her Majesty's Government to throw open these Reserves to all British Subjects engaging in the Fisheries, the Lieutenant Governor begs to suggest to the House of Assembly the propriety of their passing such Laws as may be deemed necessary 'for preventing improvident and injurious practices in carrying them on,' as recommended by Her Majesty's Secretary of State for the Colonies.

Government House, 29th January, 1839.

The following Papers accompanying the said Message, were read by the Clerk, viz.

- No. 1. A Copy of a Despatch from Sir Charles A. Fitz Roy to Lord Glenelg, dated 8th January, 1838.
2. Return of the Reservations for carrying on a Fishery, contained in the original Grants of the several Townships in Prince Edward Island.
3. Return of Licences granted of the Reserves contained in the original Grants.
4. A Copy of a Despatch from Lord Glenelg to Sir Charles A. Fitz Roy, dated 10th May, 1838.
5. A Copy of a Despatch from Sir Charles A. Fitz Roy to Lord Glenelg, dated 26th July, 1838.
6. A Copy of a Despatch from Lord Glenelg to Sir Charles A. Fitz Roy, dated 14th September, 1838.

[For the said Documents see Appendix B]

Ordered, That the above Message and the accompanying documents be inserted in each of the Newspapers published in Charlottetown, for general information.

Mr. *Rae* moved that the House do come to a Resolution as followeth, viz,

Resolved, That a Committee of eleven Members be appointed, to enquire into the Grievances which have agitated this Colony for some time past, with a view to propose a remedy,

The House divided on the Question :

JOURNAL OF THE

YEAS :

| | |
|------------------|-------------------|
| Mr. Rae, | Mr. Arbuckle, |
| Mr. Forbes, | Mr. Macfarlane, |
| Mr. J. Dingwell, | Mr. Le Lacheur, |
| Mr. Montgomery, | Mr. W. Dingwell, |
| Mr. Gorman, | Mr. D. Macdonald, |
| Mr. Beck, | Mr. Fraser, |
| Mr. Dalziel, | Mr. Thomson. |
| Mr. Macintosh, | |

NAYS :

| | |
|----------------------|----------------|
| Mr. J. S. Macdonald, | Mr. Longworth, |
| Mr. Macniell, | Mr. Pope, |
| Mr. Yeo, | Mr. Hudson. |
| Mr. Palmer, | |

So it was carried in the affirmative.

Ordered, That Mr. Rae, Mr. Fraser, Mr. D. Macdonald, Mr. W. Dingwell, Mr. Dalziel, Mr. Arbuckle, Mr. Thomson, Mr. J. Dingwell, Mr. Beck, Mr. Gorman, and Mr. Forbes, do compose the said Committee.

Resolved, That a Supply be granted to Her Majesty.

Mr. Palmer, in his place, presented to the House the Impost Accounts for the District of Crapaud, for the Quarters ending 30th June, 30th September, and 31st December, 1838.

Mr. Macintosh, in his place, presented to the House the Impost Accounts for the District of Colville Bay, for the Quarters ending 31st March, 30th June, 30th September, and 31st December, 1838.

Also, the Light Duty Account of the same District, for the year ending 31st December, 1838.

Ordered, That the above Accounts be referred to the Committee appointed to examine and report on the Public Accounts.

Mr. Pope from the Committee appointed to prepare the Address to His Excellency the Lieutenant Governor, relative to the payment of a balance due on certain Books, imported for the use of the Library, reported the draught of an Address, as prepared by the Committee, and the said draught Address was again read at the Clerk's Table, and agreed to by the House, and is as followeth :

To His Excellency SIR CHARLES AUGUSTUS FITZ ROY, K. H. Lieutenant Governor and Commander in Chief in and over Her Majesty's Island Prince Edward, and its Dependencies, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

May it please your Excellency :

The House of Assembly respectfully request that your Excellency will be pleased to issue your Warrant on the Treasury for the sum of Forty five pounds, three shillings and two pence half-penny, to be paid to the Reverend Richard Knight, being the balance due him for the purchase of Books for the use of the Legislature, and this House will make provision for the same when in Supply.

Ordered, That the said Address be engrossed.

Ordered, That the same Committee who prepared the Address be a Committee to wait upon His Excellency with the same—who returning, reported, that they had performed the duty assigned them, and that His Excellency was pleased to say, he would comply with the desire of the House.

Ordered, That Mr Rae be added to the Committee to whom was referred the Act, 5 Geo. 4, cap. 12, for regulating the Fisheries of this Island to report thereon.

Then the House adjourned until to-morrow at Eleven o'clock.

WEDNESDAY, January 30, 1839.

MR. J. S. Macdonald, from the Committee appointed to prepare and bring in a Bill to amend and further continue the Act 5 Geo. 4, cap 10, for preventing the destruction of Sheep by Dogs, presented to the House a Bill, as prepared by the Committee, and the same was read the first time.

Ordered, That the said Bill be read a second time to-morrow.

Resolved, That a Committee of four Members be appointed to investigate into the cause of the delay which has occurred in printing the Journals of this House.

Ordered, That Mr. *Arbuckle*, Mr. *Rae*, Mr. *Macfarlane* and Mr. *Macniell*, do compose the said Committee.

Ordered, That it be an instruction to the said Committee, that they do examine the Printer personally on the subject.

Resolved, That a Committee of five Members be appointed, to report on the Message of His Excellency the Lieutenant Governor, of the 28th inst. with the accompanying Documents, relative to the appropriation of the proceeds of the sales of the Glebe and School Lands.

Ordered, That Mr. *Rae*, Mr. *Pope*, Mr. *Macfarlane*, Mr. *Thomson* and Mr. *Arbuckle*, do compose the said Committee.

Mr. *Longworth*, from the Committee to whom was referred the Act 5 Geo. 4, cap. 12, for regulating the Fisheries of this Island, to report thereon, presented to the House the Report of the said Committee, which was again read at the Clerk's Table, and is as followeth :

The Committee to whom was referred the Act, 5 Geo. 4, cap. 12, for regulating the Fisheries of this Island, which will expire at the end of the present Session, after giving the subject mature consideration, have to report as their opinion, that the said Act should be further continued ; and for the encouragement of that important branch of industry, the Committee recommend that a Bounty be granted on all vessels fitted out in this Island, exclusively engaged in the Fisheries of the Colony.

Ordered, That the said Report be referred to a Committee of the whole House to-morrow.

Mr. *Rae* moved that a Committee of three Members be appointed, to enquire into the modes by which proprietary Colonies were, previous to the year 1775, freed from the burthens laid on them by those claiming to be proprietors, with power to send for persons, papers and records.

Mr. *J. S. Macdonald* moved, in amendment of the said Motion, to leave out all the words thereof, after the word ' That', and that

the following be substituted, ' the Special Committee appointed to enquire into the grievances which have agitated this Colony for some time past, with a view to propose a remedy, have power to send for persons, papers and records,'—which being seconded and put, was carried in the affirmative.

The original motion, as amended, was then put and carried.

A Message from His Excellency the Lieutenant Governor.

Mr. Secretary Collins, by his Excellency's command, delivered the following Message :

CHARLES A. FITZ ROY, Lt. Governor.

The Lieutenant Governor lays before the House of Assembly for their information and guidance the Copy of a Despatch from the Right Honorable Lord Glenelg in reply to the application of the House for a part of the fund arising from the sale of Crown Lands, for the purpose of building an Asylum for insane persons and other objects of Charity.

Government House, 31st January, 1839.

No. 48.

Downing Street, 29th May, 1838.

Sir,

I have received your Despatch of the 10th March, marked ' separate,' submitting, for my favorable consideration, an application which had been made to you by the House of Assembly, for the appropriation of a part of the Crown Lands fund, to the erection of a suitable Building as an Asylum for insane persons, and other objects of Charity—the Assembly undertaking to provide for the future expense of the management of the Institution.

Having recommended your proposal for the sanction of the Lords Commissioners of the Treasury, their Lordships have informed me, that they would not be unwilling to allow the expenditure on this work, of a part of the eight hundred pounds which you state to be in the Colonial Treasurer's hands, arising from Land Sales ;—but before giving the necessary authority for its commencement, their Lordships desire to be furnished with a specific Estimate of the sum required.

I have therefore to request, that you will transmit this Estimate to me, together with a Plan of the proposed Building.

I have, &c.

(Signed)

GLENELG.

Sir Charles Fitz Roy,

&c. &c. &c.

Ordered, That the said Message, and accompanying Document, do lie on the Table.

A Petition of the School Trustees and divers other Inhabitants of Georgetown and Royalty, was (with the consent of his Excellency the Lieutenant Governor, that the House may proceed thereon as they shall think fit) presented to the House by Mr. *Thomson*, and the same was received and read; setting forth—That the Inhabitants are not able to raise a sum in addition to the limited allowance from the Legislature, sufficient to justify any well educated person to calculate on deriving a respectable living from his profession as a Schoolmaster, consequently Petitioners are deprived of the benefits of the present Act for the encouragement of Education. That Petitioners consider the said Act to be defective, and not answering, as far as regards the said Town and Royalty, the purpose for which it was enacted; and praying the House to take the premises into consideration and afford relief.

Ordered, That the said Petition do lie on the Table.

Mr. *Arbuckle*, from the Committee appointed to investigate into the cause of the delay which has occurred in printing the Journals

of this House, presented the following Report:

Your Committee respectfully submit, that the said delay has not been occasioned by any neglect on the part of the Clerk or the Messenger of this House, but has originated entirely with the Printer.

Ordered, That the Report do lie on the Table for further consideration.

Mr. *D. Macdonald*, in his place, presented to the House the Impost Accounts for St. Margaret's, for the Quarters ending 30th June, 30th September, and 31st December, 1833.

Ordered, That the said Accounts be referred to the Committee appointed to examine and report on the Public Accounts.

Mr. *Thomson*, from the Committee appointed to prepare and bring in a Bill for the better preventing accidents by Fire, and for the improvement of public and private property in Georgetown, by laying an Assessment on Land, presented to the House a Bill, as prepared by the Committee, and the same was read the first time.

Ordered, That the said Bill be read a second time to-morrow.

Then the House adjourned until to-morrow at Eleven o'clock.

THURSDAY, January 31, 1839.

THE Bill to prevent the destruction of Sheep by Dogs, was, according to order, read a second time.

Ordered, That the said Bill be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. J. S. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. *J. S. Macdonald* reported, that the Committee had gone through the Bill, and made several amendments thereto; which amendments were again read at the Clerk's Table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed, and that the Title be *An Act*

for the Protection of Sheep against vicious Dogs.

The Order of the Day for the House in Committee on the Report of the Special Committee on the expediency of continuing the Act for regulating the Fisheries, being read;

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Longworth took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. *Longworth* reported, that the Committee had come to two Resolutions, which he was directed to submit to the House whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

The Bill for the better preventing accidents by Fire, and for the preservation and improvement of public and private property at Georgetown, was, according to order, read a second time.

Ordered, That the said Bill be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair

Mr. J. S. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair,

The Chairman reported, That the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again to-morrow.

Then the House adjourned until to-morrow at Ten o'clock.

FRIDAY, February 1, 1839.

THE Order of the Day for the House in Committee on the further consideration of the Bill for the better preventing accidents by Fire, and for the improvement of public and private property at Georgetown, being read ;

The House accordingly resolved itself into the said Committee,

Mr. Speaker left the Chair,

Mr. J. S. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. J. S. Macdonald reported, That the Committee had gone through the Bill, and made several amendments thereto, which amendments were again read at the Clerk's Table and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed and that the Title be *An Act for the improvement of property in Georgetown, and to provide against accidents by Fire*

Mr. Arbuckle, from the Committee appointed to prepare and bring in a Bill for further continuing the Act, 59 Geo. 3, cap. 5, for regulating Juries, and further declaring the qualifications of Jurors, presented to the House a Bill, as prepared by the Committee, and the same was read the first time.

Ordered, That the said Bill be read a second time to-morrow.

The Bill to amend and continue the Act, 3 Will, 4, cap. 23, empowering the Administrator of the Government to shut up such Roads, or parts of Roads as are no longer required, was, according to order, read a second time.

Ordered, That the said Bill be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair

Mr. Thomson took the Chair of the Committee

Mr. Speaker resumed the Chair

The Chairman reported, that the Committee had made some progress, and had directed him to move for leave to sit again, which the House agreed to.

A Message from the Council, by Mr. Desbrisay.

Mr. Speaker,

The Legislative Council have passed the Bill intituled *An Act to provide against the running at large of Hogs in the Streets and Squares of Charlottetown*, without any amendment.

And then he withdrew.

Ordered, That Mr. J. S. Macdonald be added to the Committee to whom was referred the Message from his Excellency the Lieutenant Governor of the 28th ult., with the accompanying documents, relative to the appropriation of the moneys arising from the sale of the Glebe and School Lands.

Then the House adjourned for one hour.

And being met—

Resolved, That this House do now resolve itself into a Committee of the whole House, on the further consideration of the Bill to

amend and continue the Act, 3 Will. 4, cap. 23 empowering the Administrator of the Government to shut up such Roads, or parts of Roads, as are no longer required.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Thomson took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thomson reported, that he was directed by the Committee to report back the Bill to the House; and the report was again read at the Clerk's Table.

Resolved, That the said Bill be referred to a Committee of three Members, to report thereon with all convenient speed.

Ordered, That Mr. Rae, Mr. Arbuckle, and Mr. D. Macdonald do compose the said Committee.

Mr. Longworth, from the Committee of the whole House on the consideration of the expediency of continuing the Act for regulating the Fisheries, reported, according to order, the Resolutions of the said Committee; and the said Resolutions were again read at the Clerk's Table, and are as follow:

1. *RESOLVED*, That it is the opinion of this Committee, that it is expedient to further continue for ten years, the Act, 5 Geo. 4, cap. 12, for regulating the Fisheries of this Island.

2. *RESOLVED*, That it is the opinion of this Committee, that for the encouragement of the Fisheries of this Island, a Bounty of Five Shillings per Ton be granted on all registered vessels fitted out in this Island, and exclusively engaged in Fishing for a period not less than three consecutive months.

The First of the said Resolutions being again read, was, upon the question put thereon, agreed to by the House.

The Second of the said Resolutions being again read, and the question put thereon,

The House divided.

YEAS :

| | |
|----------------------|-----------------|
| Mr. Macintosh, | Mr. Thomson, |
| Mr. J. S. Macdonald, | Mr. Longworth, |
| Mr. Arbuckle, | Mr. Fraser, |
| Mr. Le Lacheur, | Mr. Palmer, |
| Mr. Forbes, | Mr. Montgomery, |

| | |
|-------------------|------------------|
| Mr. Hudson, | Mr. W. Dingwell, |
| Mr. D. Macdonald, | Mr. Macfarlane, |
| Mr. Rae, | Mr. J. Dingwell. |
| Mr. Macniell, | |

NAYS :

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|--------------|-----------|
| Mr. Pope, | Mr. Beck, |
| Mr. Dalziel, | Mr. Yeo. |
| Mr. Gorman, | |

So it passed in the affirmative.

Ordered, That Mr. Longworth, have leave to introduce a Bill to further continue for ten years the Act, 5 Geo. 4, cap. 12. for regulating the Fisheries of this Island.

He accordingly presented the said Bill to the House, and the same was read the first time, and ordered to be read a second time to-morrow.

Resolved, That a Committee of five Members be appointed, to prepare and bring in a Bill for granting a Bounty on Vessels engaged in Fishing, pursuant to the Second of the above reported Resolutions.

Ordered, That Mr. Longworth, Mr. Thomson, Mr. Palmer, Mr. J. S. Macdonald, and Mr. Hudson do compose the said Committee.

Resolved, That this House will to-morrow, resolve itself into a Committee of the whole House, to consider the expediency of establishing Buoys and Beacons in the principal ports and harbours in this Island.

Ordered, That Mr. Fraser have leave to introduce a Bill to amend the Act, 20 Geo. 3, cap. 9, for enabling Creditors to recover their just Debts out of the effects of their absent or absconding Debtors.

He accordingly presented the said Bill to the House, and the same was read the first time, and ordered to be read a second time on Wednesday next.

Resolved, that a Committee of five Members be appointed, to inquire into the expenditure of public money on the erection and repairs of the Central Academy, the number of pupils who have attended that institution, and any other matter concerning the same of a public nature.

Ordered, That Mr. *Rae*, Mr. *Fraser*, Mr. *D. Macdonald*, Mr. *W. Dingwell* and Mr. *Arbuckle* do compose the said Committee.

Then the House adjourned until to-morrow at Eleven o'clock.

SATURDAY, February 2, 1839.

O*RD**ERED*, That Mr. *Pope*, Mr. *Yeo*, and Mr. *Hudson*, have leave of absence from this House until Tuesday next.

Read a third time, as engrossed, the Bill intituled *An Act for the protection of Sheep against vicious Dogs*.

Resolved, That the said Bill do pass.

Ordered, That Mr. *J. S. Macdonald* do carry the said Bill to the Council, and desire their concurrence.

The Bill for further continuing the Act, 59 Geo. 3, cap. 5, for regulating Juries, and further declaring the qualifications of Jurors, was, according to order, read a second time.

Ordered, That the said Bill be now committed, to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. *Arbuckle* took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. *Arbuckle* reported that the Committee had gone through the Bill, without making any amendment thereto.

Ordered, That the Report of the Committee be agreed to.

Ordered, That the said Bill be engrossed, and that the Title be *An Act to further continue, for a limited period, an Act passed in the Fifty-ninth year of the Reign of His late Majesty King George the Third, intituled 'An Act for regulating Juries, and further declaring the qualifications of Jurors.'*

Ordered, That Mr. *Clark*, and Mr. *Macniell*, be added to the Committee appointed to inquire into the Grievances which have agitated the Colony for some time past, with a view to provide a remedy.

Ordered, That the Message from His Excellency the Lieutenant Governor of the 29th ult. on the subject of the Fishery Reserves, with the accompanying documents, be referred to the said Committee.

Ordered, That the said Committee have leave to report from time to time, by Bill or otherwise.

The Bill to further continue, for a limited period, the Act, 5 Geo. 4, cap. 12, for regulating the Fisheries of this Island, was according to order, read a second time.

Ordered, That the said Bill be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. *Longworth* took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. *Longworth* reported, that the Committee had gone through the Bill, without making any amendment thereto.

Ordered, That the Report of the Committee be agreed to.

Ordered, That the said Bill be engrossed, and that the Title be *An Act for further continuing an Act, intituled 'An Act to regulate the Fisheries of this Island.'*

The Order of the Day for the House in Committee to consider the expediency of providing for the establishment of Buoys and Beacons in the principal Harbours in this Island, being read ;

The House accordingly resolved itself into the said Committee,

Mr. Speaker left the Chair.

Mr. *Clark* took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. *Clark* reported, that the Committee had come to a Resolution, which Resolution was again read at the Clerk's Table, and, upon the question put thereon agreed to by the House, and is as followeth :

RESOLVED, That it is the opinion of this Committee, that, for the safety and preservation of Shipping, trading to and from this Island, it is expedient to establish Buoys and

Beacons, in the different Ports and principal Harbours thereof; and that it be referred to a Special Committee to inquire into the probable expense of establishing and maintaining such Buoys and Beacons, and into the amount of funds (if any) now at the disposal of the Legislature for those purposes.

Ordered, That Mr. Rae, Mr. Montgomery, Mr. Palmer, Mr. Thomson, Mr. Le Lacheur, Mr. Yeo, Mr. Pope and Mr. W. Dingwell, be a Committee for the purpose mentioned in the above reported Resolution—with power to send for persons, papers and records.

Resolved, That this House will, on Wednesday next, resolve itself into a Committee of the whole House to consider the expediency, of providing for the payment of Interest annually on Warrants which are not paid at the Treasury on demand.

Ordered, That the Special Committee appointed to inquire into the expenditure of public money on the erection and repairs of the Central Academy, the number of pupils who have attended that institution, and any other matter concerning the same, of a public nature, have power to send for persons, papers and records.

Resolved, That a Committee of six Members be appointed to inquire into the state of the Library, and report thereon to the House.

Ordered, That Mr. Palmer, Mr. Montgomery, Mr. Longworth, Mr. Gorman, Mr. Arbuckle, and Mr. Pope, do compose the said Committee.

Then the House adjourned until Monday next at Two o'clock.

MONDAY, February 4, 1839.

THREE Messages from His Excellency the Lieutenant Governor.

Mr. Secretary Collins, by Command of His Excellency, delivered the following Messages:

[FIRST MESSAGE.]

CHARLES A. FITZ ROY, Lt. Governor.

The Lieutenant Governor lays before the House of Assembly, the copy of a Despatch from the Right Honorable Lord Glenelg, dated the 15th September last, suggesting several amendments to the Act passed last Session, 'for regulating the several Jails within this Island, and establishing Prison Discipline therein;' and transmitting, for the convenience of reference, a copy of the Imperial Act, 4 Geo. 4, cap. 64.

The Lieutenant Governor also lays before the House, for their information, copies of the Reports of the visiting Magistrates for the different Jails throughout the Island.

Government House, 2nd February, 1839.

Mr. Secretary Collins, also presented to the House the copies of the Despatch and other Papers referred to in said Message, and the same were read by the Clerk.

[See Appendix (C.) at the end of the printed Journal of this Session.]

[SECOND MESSAGE.]

CHARLES A. FITZ ROY, Lieutenant Governor.

The Lieutenant Governor lays before the House of Assembly, the copy of a Despatch from the Right Honorable Lord Glenelg, on the subject of an outrage committed in the course of last Summer, by an American Fishing Schooner, on the British vessel *Sir Archibald Campbell*, and acquainting him that the naval Commander in Chief, on this Station, has been instructed to detach, as soon as the fishing season shall commence, a small vessel to the coast of Nova Scotia, and another to this Island, to protect the Fisheries.

In connexion with this subject, the Lieutenant Governor also communicates to the House, the copy of a letter from the Right Honorable Lord Clarence Paget, commanding Her Majesty's Sloop *Pearl*, complaining of the inefficiency of the Pilot Regulations for this Port, and suggesting that a proper Survey of the entrance of the harbour should be made, and Buoys and Beacons laid down, to mark out the Channel; and stating his opinion, that unless this were done, Her Majesty's vessels could not, with prudence, make this Port their rendezvous, the advantages of which, to the Town, and the Island generally, the Lieutenant Governor need not point out to the House.

Government House, February 4, 1839.

[C O P Y.]

No. 74. Downing Street, 5th November, 1838.

Sir,

Lord Durham having communicated to me the correspondence between His Lordship and you on the subject of an outrage, committed by an American fishing Schooner, on the British vessel *Sir Archibald Campbell*, I have the honor to acquaint you that the case has been referred by Lord Palmerston to Her Majesty's Advocate General, for his opinion, as to the steps which it may be proper to take against the parties who committed the offence.

I have further to acquaint you that, by direction of Her Majesty's Government, the Lords of the Admiralty have instructed the Naval Commander in Chief on the West India and North American Station to detach, as soon as the fishing season shall commence, a small vessel to the coast of Nova Scotia and another to Prince Edward Island, to protect the Fisheries. The Commanders of these vessels will be cautioned to take care that, while supporting the rights of British Subjects they do not themselves overstep the bounds of the Treaty subsisting between Great Britain and the United States on the subject. You will, of course, afford them every information and assistance which they may require for the correct execution of this duty.

I have, &c.

(Signed)

GLENELG.

Sir Charles Fitz Roy,
&c. &c. &c.

[C O P Y.]

Her Majesty's Ship *Pearl*, off Charlottetown,
September 22, 1838.

Sir,

I regret to have to report to your Excellency, that H. M. Brig *Charybdis*, arrived off this Port last Monday, with the customary Pilot Flag flying, and of which no notice whatever was taken by the Pilots of Charlottetown.

It is obvious that a Port so commodious and safe, but difficult of access, as that of Charlottetown should be provided with Pilots, who should be compelled to proceed immediately on board any ships who may approach Governor's Island with the Pilot signal flying; and that, moreover, a survey of the entrance should be taken, and Buoys and Beacons laid down to point out the channel. Without these precautions, I am compelled to state to your Excellency my opinion, that Her Majesty's Ships

and vessels could not with prudence, make the Port of Charlottetown their rendezvous.

I have, &c.

(Signed)

His Excellency

Sir Chas. Fitz Roy.

CLARENCE PAGET,
Commander.

[T H I R D M E S S A G E]

CHARLES A. FITZ ROY, Lieut. Governor.

The Lieutenant Governor lays before the House of Assembly, the copy of a Despatch from the Right Honorable Lord Glenelg stating that it is the intention of Her Majesty's Government, to substitute Steam Packets for the sailing vessels now employed in the conveyance of the Mails between Great Britain and Halifax.

In submitting this matter to the consideration of the House, the Lieutenant Governor is desired to invite them to co-operate, as far as depends on the House, in improving the communication, between this Island and Halifax, in order to the complete attainment of the advantages anticipated by Her Majesty's Government.

Government House, February 4th, 1839.

[C I R C U L A R.]

Downing Street, 24th October, 1838.

Sir,

The attention of Her Majesty's Government having been directed to the great importance, both to Great Britain and to her Possessions in North America, of establishing a direct communication by Steam, between the two Countries, it is contemplated to substitute Steam Packets for the sailing vessels now employed in the conveyance of the Mails between this country and Halifax. The Lords Commissioners of the Admiralty have accordingly been instructed to advertise for tenders for this service. The arrangement, if it can be concluded, will probably take effect about the commencement of next Spring. The Postmaster General will, in the mean time, direct the local Post Office authorities to turn their attention to the line of communication between Quebec and Halifax, with a view to increased expedition—and also to make the requisite preparations for supplying, when the alteration is to be carried into operation, every facility and using every proper caution, in order to give full effect to the proposed arrangement.

Her Majesty's Government trust that the contemplated measures, involving as they do, considerable additional expenditure, will prove beneficial to the public, and give satisfaction to the Colonies.

The co-operation of the respective Legislatures is essential to the complete attainment of the advantages anticipated. I have therefore, to desire that you will, on the opening of the next Session of the Legislature of your Government, submit the matter for their consideration, and invite them to co-operate in improving the communication with Halifax, and to afford such other facilities as may depend on those bodies.

I have further to request, that you will endeavour, before their meeting, to collect the necessary information, for the guidance of the Legislature; and that you will render every assistance in your power, to further the views of Her Majesty's Government.

I have, &c.

(Signed)

GLENELG.

Sir Charles Fitz Roy,

&c. &c. &c.

Ordered, That the foregoing Messages with the accompanying Documents, do lie on the Table.

The Honorable Thomas H. Haviland, Colonial Treasurer, by command of His Excellency the Lieutenant Governor, presented the following Documents to the House:

A General Account of all Moneys received at and payments made from the Provincial Treasury, between the 21st January, 1838, and 21st January, 1839.

List of Bonded Duties in the Treasury on the 21st January, 1839, with the balance due thereon.

An Account of Interest paid on outstanding Warrants.

An Account of sums paid in premiums for the destruction of Bears and Loupcerviers, under the Act. 11 Geo. 4, cap. 14.

An Account of Licence Duty received in 1838.

Statement of the Land Assessment, under the Act 11 Geo. 4, cap. 14.

Mr. *Speaker* presented the following Documents to the House, viz.

Light Duty Accounts for the District of Charlottetown, for the Quarters ending 31st March, 30th June, 30th September, and 31st December, 1838.

Impost Account for the District of St. Peters Bay, for the Quarter ending 31st December, 1838.

Ordered, That the above Documents be referred to the Committee appointed to examine and report on the Public Accounts.

A Petition of Thomas Devereux, of East Point, was (with the consent of His Excellency the Lieutenant Governor, that the House may proceed thereon as they shall think fit) presented to the House by Mr. *D. Macdonald*, and the same was received and read, setting forth—That he is a native of Ireland, and emigrated to this Island in the year 1829; that he had the misfortune to lose the use of one of his hands, and has now to deplore the loss of his eyesight, and that he is totally without the means of subsistence, and praying relief.

Ordered, That the said Petition do lie on the table.

Read a third time, as engrossed, the Bill, intituled *An Act to further continue, for a limited period, an Act passed in the Fifty-ninth year of the Reign of His late Majesty King George the Third, intituled 'An Act for regulating Juries, and further declaring the qualifications of Jurors.'*

An amendment was proposed to be made to the Bill, by leaving out after the word 'hereof' the words 'and from thence to the end of the then next Session of the General Assembly, and no longer.'

The House divided on the question.

YEAS:

| | |
|------------------|-----------------|
| Mr. Forbes, | Mr. Fraser, |
| Mr. J. Dingwell, | Mr. Arbuckle, |
| Mr. Mackintosh, | Mr. Macniell, |
| Mr. Gorman, | Mr. Le Lacheur, |
| Mr. Rae, | Mr. Thomson, |
| Mr. W. Dingwell, | |

NAYS:

| | |
|----------------|-------------------|
| Mr. Clark, | Mr. D. Macdonald, |
| Mr. Palmer, | Mr. Montgomery. |
| Mr. Longworth, | |

So it was carried in the affirmative, and the Bill was amended at the Table accordingly.

Another amendment was proposed to be made to the Bill, in the last line, by leaving out the word 'Two', and inserting 'Ten' instead thereof.

The House divided on the question,

YEAS:

| | |
|-------------|-----------------|
| Mr. Clark, | Mr. Montgomery, |
| Mr. Palmer, | Mr. Longworth. |

NAYS:

| | |
|-------------------------|--------------------------|
| <i>Mr. Thomson,</i> | <i>Mr. Macniell,</i> |
| <i>Mr. Macintosh,</i> | <i>Mr. Gorman,</i> |
| <i>Mr. Arbuckle,</i> | <i>Mr. Beck,</i> |
| <i>Mr. Le Lacheur,</i> | <i>Mr. Fraser,</i> |
| <i>Mr. Rae,</i> | <i>Mr. D. Macdonald,</i> |
| <i>Mr. J. Dingwell,</i> | <i>Mr. Forbes.</i> |
| <i>Mr. W. Dingwell,</i> | |

So it passed in the negative.

Another amendment was proposed to be made to the Bill, by leaving out the words 'two years', and instead thereof, inserting 'one year'; and after the word 'hereof,' to insert, 'and from thence to the end of the then next Session of the General Assembly.'

And the question being put on the said amendment, it passed in the negative.

Resolved, That the said Bill, with the amendment, do pass,

Ordered, That *Mr. J. S. Macdonald*, do carry the said Bill to the Council, and desire their concurrence,

Read a third time, as engrossed, the Bill intituled *An Act for further continuing an Act, intituled 'An Act to regulate the Fisheries of this Island.'*

Resolved, That the said Bill do pass.

Ordered, That *Mr. J. S. Macdonald* do carry the said Bill to the Council, and desire their concurrence.

Ordered, That the Order of Friday, the 1st instant, for engrossing the Bill for the improvement of property in Georgetown, and to provide against accidents by Fire, be discharged, and that the said Bill be re-committed to a Committee of the whole House to-morrow.

Then the House adjourned until to-morrow at Eleven o'clock.

TUESDAY, February 5, 1839.

THE Order of the Day, for recommitting to a Committee of the whole House the Bill for the improvement of property at Georgetown, and to provide against accidents by Fire, being read;

The House accordingly resolved itself into the said Committee,

Mr. Speaker left the Chair,

Mr. J. S. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. J. S. Macdonald reported, That the Committee had gone into the further consideration of the Bill, and had made several additional amendments thereto; which amendments were again read at the Clerk's Table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Mr. Longworth, from the Committee appointed to prepare and bring in a Bill for granting a Bounty on all vessels fitted out in this Island exclusively engaged in the Fisheries; presented to the House a Bill, as prepared by the Committee, and the same was read the first time.

Ordered, That the said Bill be read a second time on Thursday next.

Then the House adjourned until to-morrow at Eleven o'clock.

WEDNESDAY, February 6, 1839.

MR. Palmer, from the Committee to whom was referred the several Acts relating to Charlottetown, about to expire, with leave to report from time to time, by Bill or otherwise, presented to the House a Bill for the appointment of Coal Meters, as prepared by the said Committee; and the same was read the first time.

Ordered, That the said Bill be read a second time to-morrow.

Two Petitions were (with the consent of His Excellency the Lieutenant Governor, that the House may proceed thereon, as they shall think fit,) presented to the House, and the same were received and read, viz.

By Mr. Thomson.—A Petition of Margaret Campbell, of Township Number Fifty-four; setting forth—That she is a widow, eighty-four years of age, in indigent circumstances, and is burthened with the support of a son, dumb, and in an extreme state of idiocy—and praying relief.

By Mr. Le Lacheur.—A Petition of Charles Russell, an aged and infirm Teacher, praying relief.

Ordered, That the two preceding Petitions do lie on the Table.

A Petition of Coun Douly Rankin, Sub-Inspector of Militia, was (with the consent of His Excellency the Lieutenant Governor, that the House may proceed thereon as they may think fit,) presented to the House by Mr. *Le Lacheur*, and the same was received and read; setting forth—That Petitioner was recommended to Government by Colonel Ready, when Lieutenant Governor of this Island, for the situation of Sub-Inspector of Militia therein—that in consequence thereof, and at the particular request of Colonel Ready, he proceeded from this Island to England, with the sole view of obtaining that situation, and was absent from home on that occasion nearly eleven months at a heavy expence. That Petitioner was duly appointed to the said situation and Gazetted accordingly, previous to his return to the Colony; but it was expected by His then Majesty's Government, that provision would be made by the Colony, for the payment of such Officers, on a moderate scale, and it was Colonel Ready's intention to have recommended the same to the Legislature, had he continued in the administration of the Government. That the Colonial Legislature appropriated the sum of £75 per annum for defraying the expence of Militia Inspections, but to Petitioner's great surprise, the late Lieutenant Governor Young allowed the entire amount to Captain Lane; at the same time, had no emoluments been attached to the situation, Petitioner would cheerfully have

performed his share of the duties gratuitously, and made an offer to that effect to the late Lieutenant Governor Young, which he declined accepting, unless Petitioner were remunerated.—That Petitioner begs leave to suggest an amendment to the Militia Law, in order that the inhabitants enrolled as Militiamen may be taught in some degree to perform the duty of soldiers, and at the same time to prevent the office of Sub-Inspector becoming a sinecure—and praying the House to take the premises into consideration, and make such order thereon, as to its wisdom may seem meet and proper.

Mr. *Pope* moved, that the House do come to a Resolution as followeth:

Resolved, That it is inexpedient to grant the prayer of the said Petition.

Mr. *Le Lacheur* moved, in amendment, to leave out all the words of the proposed Resolution, after the word 'Resolved,' and instead of the words so left out, to substitute the following, viz. 'That the said Petition be referred to a Special Committee, to examine the contents thereof, and report thereon, with all convenient speed.'

The House divided on the question of amendment.

YEAS :

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|------------------------|--------------------------|
| <i>Mr. Le Lacheur,</i> | <i>Mr. Montgomery,</i> |
| <i>Mr. Forbes,</i> | <i>Mr. Palmer,</i> |
| <i>Mr. Dalziel,</i> | <i>Mr. D. Macdonald,</i> |
| <i>Mr. Arbuckle,</i> | <i>Mr. Macintosh.</i> |
| <i>Mr. Macniell,</i> | |

NAYS :

| | |
|-------------------------|-------------------------|
| <i>Mr. Pope,</i> | <i>Mr. Fraser,</i> |
| <i>Mr. J. Dingwell,</i> | <i>Mr. Longworth,</i> |
| <i>Mr. Clark,</i> | <i>Mr. Gorman,</i> |
| <i>Mr. Yeo,</i> | <i>Mr. W. Dingwell,</i> |
| <i>Mr. Thomson,</i> | <i>Mr. Hudson.</i> |
| <i>Mr. Beck,</i> | |

So it passed in the negative.

The question being then put on the main motion, it was carried in the affirmative.

The Bill to amend the Act, 20 Geo. 3, cap. 9, intituled 'An Act to enable Creditors to recover their just Debts out of the effects of their absent or absconding Debtors,' was according to order, read a second time.

Resolved, That the said Bill be referred to a Committee of three Members, to report thereon, with all convenient speed.

Ordered, That Mr. Fraser Mr. Pope, and Mr. Palmer, do compose the said Committee.

The Hon J. Spencer Smith presented to the House the Impost Accounts for the District of Charlottetown, for the Quarters ending 31st March, 30th June, 30th September and 31st December, 1838,

Ordered, That the said Accounts be referred to the Committee appointed to examine and report on the Public Accounts.

Read a third time, as engrossed, the Bill intituled *An Act for the improvement of Property in Georgetown, and to provide against accidents by Fire.*

An amendment was proposed to be made to the Bill in Section 2, by leaving out the words 'Six shillings and eight-pence on each unimproved Town Lot, and Three shillings and four-pence on each improved Town Lot,' and instead of the words so left out, to substitute 'Five shillings on each Town Lot.'

The House divided on the question.

YEAS :

Mr. Longworth, Mr. Hudson.
Mr. Yeo,

NAYS :

Mr. Palmer, Mr. Le Lacheur,
Mr. Macintosh, Mr. Fraser,
Mr. D. Macdonald, Mr. Clark,
Mr. Thomson, Mr. Macniell,
Mr. Montgomery, Mr. W. Dingwell,
Mr. Rae, Mr. Arbuckle,
Mr. Gorman, Mr. Forbes,

Mr. J. Dingwell,

Mr. Dalziel.

Mr. Beck,

So it passed in the Negative.

Resolved, That the said Bill do pass.

Ordered, That Mr. Thomson, do carry the said Bill to the Council, and desire their concurrence.

Then the House adjourned for one Hour,

And being met—

Mr. Speaker communicated to the House a Letter he had received from Mr. John Macniell, the Visiter of Schools, dated February 6th, 1839, transmitting the following Documents.

Report of the Visiter of the District Schools, dated March 31st 1838.

Report of the Visiter of District Schools, up to January 1st, 1839.

Summary of the state of the District Schools throughout the Island, embraced in the Report of the Visiter, dated January 1st, 1839.

[For the said Documents, See Appendix (D.) at the end of the printed Journal of this Session.]

The Order of the Day, for the House in Committee, to consider the expediency of providing for the payment annually of interest on such Warrants as are not paid at the Treasury on demand, being read ;

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Clark took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Then the House adjourned until to-morrow, at Eleven o'clock.

THURSDAY, February 7, 1839.

MR. Palmer, from the Committee to whom was referred the several Acts relating to Charlottetown, about to expire, with leave to report from time to time, by Bills or otherwise, presented to the House a Bill to continue for a limited period, four several Acts,

therein mentioned ; and the same was read the first time.

Ordered, That the said Bill be read a second time to-morrow.

Two Petitions were (with the consent of His Excellency the Lieutenant Governor, that

the House may proceed thereon as they shall think fit) presented to the House and the same were received and read, viz.

By Mr. Fraser.—A Petition of divers Inhabitants of Townships Fifteen and Seventeen, praying an aid to improve the road communication between Fifteen Point and Egmont Bay.

By Mr. Forbes.—A Petition of Donald M'Lauchlan, of St. Peter's Road, Township Thirty-four; setting forth—That for many years past, he has been suffering under various afflictions, which have reduced him to necessitous circumstances—that the principal of these has been a failure in his eyesight, which has been gradually decaying, so that it is with much difficulty he can now perform any work; at the same time he happened to settle on a farm, most of which is of a very inferior soil, chiefly composed of white sand, and in an exposed situation, so that his crops have been generally damaged by early frosts—That the case of his eldest son, a boy about fourteen years of age, has occasioned no less anxiety to petitioner, having been deprived from birth of his left arm, from the elbow, so that he has been rendered incapable of labour—and praying the House to take his case into consideration, and afford relief.

Ordered, That the two preceding Petitions do lie on the Table.

The Bill for granting a Bounty on all Vessels engaged in the Fisheries of this Island, was, according to order, read a second time.

Ordered, That the said Bill be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Longworth took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Longworth reported, that the Committee had gone through the Bill, and made several

amendments thereto; which amendments were again read at the Clerk's Table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed, and that the Title be *An Act for granting a Bounty on Vessels engaged in the Fisheries of this Island.*

Then the House adjourned for one hour,

And being met—

The Bill for the appointment of Coal Meters for the Town of Charlottetown, was, according to order, read a second time.

A motion being made, that the said Bill be now committed to a Committee of the whole House.

Mr. Rae moved, in amendment, that all the words after 'Bill,' be struck out, and the following substituted—'be referred to a Special Committee, with an instruction to consider the expediency of consolidating into one Act the Act for the appointment of Coal Meters and the Act relating to the Public Wharf of Charlottetown;'—which being seconded and put, passed in the negative.

The question being then put on the main motion, it was agreed to by the House.

And then the House resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Palmer took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Palmer reported, that the Committee had gone through the Bill, without making any amendment thereto.

Ordered, That the Report of the Committee be agreed to.

Ordered, That the said Bill be engrossed, and that the Title be *An Act to authorize the appointment of Coal Meters for Charlottetown.*

Then the House adjourned until to-morrow at Eleven o'clock.

FRIDAY, February 8, 1839.

M*M. Pope*, in his place, presented to the House the Impost and Light Duty Accounts for the District of Bedeque, for the Quarters ending 30th June, 30th September, and 31st December, 1838.

Mr. *J. Dingwell*, in his place presented to the House, the Impost and Light duty Accounts for the District of Three Rivers, for the Quarters ending 30th June, 30th September, and 31st December, 1838.

Ordered, That the said Accounts be referred to the Committee appointed to examine and report on the Public Accounts.

Ordered, That Mr. *Thomson* and Mr. *D. Macdonald* be added to the said Committee.

A Petition of divers Inhabitants settled on the Union Road, Township Thirty-three, was (with the consent of His Excellency the Lieutenant Governor, that the House may proceed thereon, as they shall think fit,) presented to the House, by Mr. *Hudson*, and the same was received and read, praying an aid to round up part of the said Road.

Ordered, That the said Petition do lie on the table.

Read a third time, as engrossed, the Bill intituled *An Act to authorize the appointment of Coal Meters for Charlottetown*.

Resolved, That the said Bill do pass.

Read a third time, as engrossed, the Bill intituled *An Act for granting a Bounty on Vessels engaged in the Fisheries in this Island*.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Thomson*, do carry the two preceding Bills to the Council, and desire their concurrence.

Mr. *Clark*, from the Committee appointed to enquire into the grievances which have agitated the Colony for some time past, with a view to provide a remedy, with leave to report from time to time, by Bills or otherwise, presented the First Report of the said Committee; and the said Report was again read at the Clerk's Table, and is as followeth:

The Committee appointed to take into consideration the Grievances which have agitated the Colony for some time past, deemed it advisable, in order to facilitate the investigation of such Grievances, to take into consideration the Proceedings recorded on the Journals of the late House of Assembly against William Cooper, John W. Le Lacheur and John Macintosh, Esquires, as being identified with the agitation of this Colony, and have therefore examined the Petition and Resolutions agreed to at a Public Meeting held at Hay River in King's

County, 20th December, 1836, as also the proceedings of the late Lieutenant Governor Sir John Harvey and the House of Assembly; as the charges against those Gentlemen were preferred in consequence of their having presided at said Meeting in their capacities of Representatives of said County, which proceedings left the said William Cooper, John Windsor Le Lacheur, and John Macintosh, Esquires, no alternative but either to admit themselves guilty of sedition, and a misrepresentation of the late House of Assembly, or remain in the custody of the Serjeant at Arms, two Sessions, whereby the County was virtually disfranchised, and a great majority of the agricultural inhabitants deprived of the benefits of their representation in the Colonial Legislature, as appears from several Addresses agreed to by large Public Meetings, from time to time, praying the Lieutenant Governor to dissolve the House of Assembly in order that the agricultural inhabitants might be fairly represented—and upon a deliberate investigation of those Documents, the Committee have come to the following Resolutions, viz.

1. That whatever fears Sir John Harvey, or the late House of Assembly, might have entertained, that the Resolutions agreed to at Hay River, and other Meetings of the people, were seditious, and the people disaffected towards Government, the uniform good conduct and loyalty of the people, and the moderation and firmness displayed by William Cooper, John Windsor Le Lacheur and John Macintosh, Esquires, to suffer imprisonment two Sessions rather than admit the slightest shadow of guilt being attached to them, have, with the time elapsed, and other corroborating circumstances, proved, beyond a doubt, that such fears of sedition and disaffection of them or the people were groundless.

2. The Committee recommend that the Entries on the Journal of the late House of Assembly relating to the Charges preferred against William Cooper, John Windsor Le Lacheur and John Macintosh, Esquires, respecting the Meeting at Hay River, King's County, be expunged.

Mr. *Clark* moved to resolve, that the said Report be agreed to.

Mr. *Pope* moved, in amendment, that all the words after 'That' be struck out, and the following substituted—'the said Report do lie on the Table.'

A motion being made that Mr. *Clark* do have leave to withdraw his motion,

The House divided on the question,

YEAS :

| | |
|-------------------|----------------------|
| Mr. Beck, | Mr. J. S. Macdonald, |
| Mr. Yeo, | Mr. Hudson, |
| Mr. Le Lacheur, | Mr. Clark, |
| Mr. Arbuckle, | Mr. Montgomery, |
| Mr. D. Macdonald, | Mr. Forbes, |
| Mr. Fraser, | Mr. Macniell, |
| Mr. J. Dingwell, | Mr. Dalziel, |
| Mr. W. Dingwell, | Mr. Longworth, |
| Mr. Gorman, | Mr. Macintosh, |
| Mr. Rae, | Mr. Thomson, |
| Mr. Palmer. | |

NAY :

Mr. Pope.

So it was carried in the affirmative ; and
Ordered, accordingly.

Ordered, That the said Report be referred to a Committee of the whole House on Tuesday next.

Ordered, That Mr. J. Dingwell and Mr. W. Dingwell have leave of absence until Monday next.

The Bill for continuing several Acts therein mentioned, was, according to order, read a second time.

Ordered, That the said Bill, be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Longworth took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Longworth reported, that the Committee had gone through the Bill, and made an amendment thereto ; which amendment was again read at the Clerk's Table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed, and that the Title be *An Act to continue for a limited period, three several Acts therein mentioned*.

John P. Collins, Esquire, Colonial Secretary, laid before the House, a Copy of the Warrant Book, from 1st February, 1838, to 21st January 1839.

Ordered, That the said Documents be referred to the Committee appointed to examine and report on the Public Accounts.

Then the House adjourned until to-morrow at Eleven o'clock.

SATURDAY, February 9, 1839.

READ a third time as engrossed, the Bill intituled *An Act to continue for a limited period three several Acts therein mentioned*
Resolved, That the said Bill do pass.

Ordered, That Mr. Longworth, do carry the said Bill to the Council, and desire their concurrence.

Mr. Clark from the Committee appointed to enquire into the Grievances which have agitated this Colony for some time past, with a view to provide a remedy, with leave to report from time to time, presented the Second Report of the Committee ; and the said Report was again read at the Clerk's Table and is as followeth :

The Committee of Grievances beg leave to report, that in regard to the correspondence between Lord

Glenelg and His Excellency the Lieutenant Governor as to the Fishing Reserves, your Committee are unanimously of opinion, that the manner in which His Excellency conducted said correspondence, entitles him to the thanks of the country, and do respectfully recommend that your Honorable House will take the steps necessary for preparing and presenting an Address to that effect.

In regard to these Reserves, your Committee further submit, that of the proprietary claimants, who have sold or leased the said Reserves, many must have been aware that they were leasing and selling that to which they had no title, and to which they could give no title—that taking rents and prices for the same, was obtaining money under false pretences, in all those instances where the circumstance was not explained to the purchaser or lessee ; and that, waiving in the mean time the consideration of their criminality, there can be no doubt of their being

every one, in equity, responsible for the loss which has been and may be sustained through such fraudulent concealment, and invasion of public right.

That it is probable the other grievances under consideration of your Committee, can best be remedied by an Act of the Legislature ; and the same remark applies to this subject ; but your Committee respectfully submit, that it seems advisable that the enactment relative hereto should be separate from any other matter ; and that the utmost vigilance be exercised in regard to its details, so as the same may embrace all the provisos necessary for guarding the cultivator of front lands, whether tenant or freeholder, from being molested in his possessions by improvident and injurious practices in carrying on the Fishery. That at the same time the Bill shall clearly point out the regulations by which the front lands may be rendered most available to all the inhabitants of this Island, and to all others Her Majesty's subjects who may engage in fishing.

As to the rents and prices exacted in past times by the proprietary claimants, your Committee purpose to take legal opinion as to the practicability of recovering those by any of the existing laws, as also in regard

to indemnification from the proprietary claimant to any farmer who may suffer, by any part of his improvements being taken up, as of his marshes being thrown open by those engaged in fishing.

Your Committee are of opinion that whatever difficulty there may be in getting redress for past wrong, there is no doubt that by exercising reasonable care in framing the Bill in question, the inconveniences which may accrue from these lands being thrown open, will be far more than compensated for, by the great public benefit which will follow the completing the original intention of the British Government in this matter.

Lastly, your Committee beg to state, that they are framing a Bill to answer the above purposes, which they trust at an early day to submit to the House.

Ordered, That the said Report be referred to a Committee of the whole House on Monday next.

Then the House adjourned until Monday next, at Twelve o'clock.

MONDAY, February 11, 1839.

A Petition of divers Inhabitants settled on both sides of the Hillsborough was (with the consent of His Excellency the Lieutenant Governor, that the House may proceed thereon, as they shall think fit,) presented to the House, by Mr. *Forbes* and the same was received and read, praying an aid to complete the Road between Battery Point and the St. Peter's Road.

Ordered, That the said Petition do lie on the Table.

The Order of the Day being read, for the House in Committee on the consideration of the second Report of the Special Committee appointed to enquire into the grievances which have agitated this Island for some time past, with a view to provide a remedy ;

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Clark took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. *Clark*, reported, that the Committee had gone through the Report of the Special Committee, paragraph by paragraph, without making any amendment thereto.

Mr. *Palmer* moved, that the Report be received to-morrow.

Mr. *Rae* moved, in amendment, that all the words after ' Report ' be struck out, and the following substituted—' be now received.'

The House divided on the motion of amendment.

YEAS :

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| <i>Mr. Forbes,</i> | <i>Mr. Le Lacheur,</i> |
| <i>Mr. Fraser,</i> | <i>Mr. Arbuckle,</i> |
| <i>Mr. Dalziel,</i> | <i>Mr. Macfarlane,</i> |
| <i>Mr. Gorman,</i> | <i>Mr. Rae,</i> |
| <i>Mr. Macintosh,</i> | <i>Mr. D. Macdonald,</i> |
| <i>Mr. Beck,</i> | <i>Mr. Clark,</i> |
| <i>Mr. Macneill,</i> | <i>Mr. Thomson.</i> |

NAYS :

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|--------------------|--------------------|
| <i>Mr. Palmer,</i> | <i>Mr. Hudson,</i> |
|--------------------|--------------------|

Mr. J. S. Macdonald, Mr. Yeo,
Mr. Pope, Mr. Longworth.

So it was carried in the affirmative.

The original motion, as amended, was then put and carried.

Mr. *Clark* moved, that the question of concurrence be now separately put on each paragraph of the said Report.

Mr. *Pope* moved, in amendment, that all the words after 'That' be struck out, and the following substituted—'the first paragraph of the said Report be agreed to and the remainder struck out.'

The House divided on the motion of amendment :

YEAS :

Mr. Longworth, Mr. Hudson,
Mr. Yeo, Mr. J. S. Macdonald,
Mr. Pope, Mr. Palmer.

NAYS :

Mr. Gorman, Mr. Forbes,
Mr. Rae, Mr. Arbuckle,
Mr. Macintosh, Mr. Fraser,
Mr. D. Macdonald, Mr. Clark,
Mr. Thomson, Mr. Macneill,
Mr. Le Lacheur, Mr. Dalziel,
Mr. Beck, Mr. Macfarlane.

So it passed in the negative.

The question being then put on the main motion, it was agreed to by the House.

And the first paragraph of the said Report being again read, and the question put thereon, it was agreed to by the House.

The second to the sixth paragraphs of the said Report, inclusively, being again severally read, and the question of concurrence being separately put thereon, the House divided upon each ; and the names being called for, they were taken down as followeth ;

YEAS :

Mr. Le Lacheur, Mr. Clark,
Mr. Beck, Mr. Arbuckle,
Mr. D. Macdonald, Mr. Forbes,
Mr. Fraser, Mr. Macneill,
Mr. Gorman, Mr. Macintosh,

Mr. Rae, Mr. Thomson,
Mr. Dalziel, Mr. Macfarlane.

NAYS :

Mr. Yeo, Mr. Hudson,
Mr. Palmer, Mr. J. S. Macdonald
Mr. Pope, Mr. Longworth.

So they were carried in the affirmative.

Ordered, That Mr. *D. Macdonald, Mr. Clark* and Mr. *Rae*, be a Committee to prepare and report the draught of an Address to his Excellency the Lieutenant Governor, in conformity with the first paragraph of the said Report.

Mr. Speaker laid before the House the following Documents, received in compliance with the Address of this House to his Excellency the Lieutenant Governor of the 29th ult.

[COPY.] Wednesday, July 8th 1767.
AT A MEETING OF HIS MAJESTY'S COMMISSIONERS, FOR

TRADE AND PLANTATIONS ;

Present,

Lord Clare,

Mr. Fitzherbert, Mr. Robinson,

Resolved, that it be recommended, that all such parts of the Island of St. John, as have been reserved and set apart for the Building of Towns, as delineated upon the Survey, and expressed and described in the explanatory Table referring thereto, (Appendix No. 2, hereunto annexed), be laid out for that purpose in manner following ; that is to say :

That the Number of Lots for Houses in each Town, and the extent of the Town itself, be determined at the direction of the Surveyor appointed to lay out the said Town, and who is to exercise his judgment in this matter, according to the nature and situation of the ground.

That great care be taken, in laying out the ground for each Town, that proper parts thereof are reserved and allotted for the site of a Church, Town House, Market, and other necessary public Buildings.

That the Lots for Houses be of different extent ; so that none do exceed sixty feet in front, and one hundred feet in depth ; nor less than twenty feet in front, and thirty feet in depth.

That after the site of the Town shall have been so laid out, fixed and ascertained, the remainder of the Land contained in the Reversion marked upon the Survey, be disposed of in manner following, that is to say :

That a proper district, and in a convenient situation, be marked out and set apart for a Common to each Town, of such extent as shall be proportioned to the size of the Town.

That the residue of the Lands be laid out into Pasture Lots proportioned in number and extent to the number and size of the Town Lots, allowing one Acre of Pasture Lot for every ten feet in front of the Town Lot.

That if the residue of the Town Lots, over and above what shall be necessary for the Town, shall not be sufficient in quantity for Common and Pasture Lots, according to the above Plan, that the Land to be assigned to each Town Lot for a Pasture, shall be less in quantity, keeping, however, the same proportion; and if, on the contrary, there should be more than a sufficiency for the above purpose, according to the said proportion, the Surplus to remain as demesne Lands of the Crown, subject to such future disposition as His Majesty shall direct.

Resolved, That it be recommended that the above mentioned Town and Pasture Lots be granted in Fee Simple, under the Seal of the Province of Nova Scotia, to such person or persons as will give proper security to build within a reasonable time upon the Town Lot; and to enclose and fence and properly clear for Pasture, the Lots set apart for that purpose; but no one person to have a Grant of more than one Town and Pasture Lot.

That in every Grant of a Town and Pasture Lot, there be a Reservation to His Majesty, His Heirs and Successors, of a Ground Rent on the Town Lot, of One Penny for every foot in front, and a Quit Rent on the Pasture Lot of Threepence per Acre.

[COPY.]

No. 7.

Downing Street, 20th March, 1829.

Sir;

I have the honor to acknowledge the receipt of your Despatch of the 7th January last, No 37, recommending

twelve poor settlers who have established themselves on Crown Lands, without authority, for Grants of the Land which they have actually fenced and cultivated, amounting, in the whole, to 182 acres, and to acquaint you in reply, that under the circumstances of their case, I am induced to accede to your recommendation in their favour.

I have the honor to be,

Sir,

Your most obedient

humble Servant,

(Signed)

GEO. MURRAY.

Lieut. Governor Ready, &c. &c. &c.

[COPY.]

No. 9.

Downing Street, 4th April, 1834.

Sir;

I have the honour to acknowledge the receipt of your Despatch, No 69, of the 21st of January last, transmitting a copy of a letter from three Officers on half pay, who claim land under the general Order of the 1st of August 1831; and considering the impression under which those Officers emigrate, I am willing to authorize you to make them an allotment of Wilderness Land, commensurate at the rate of Five Shillings per Acre, with the amount of the remission of purchase money, to which they are entitled.

I have the honor to be, Sir,

Your most obedient humble Servant,

(Signed)

E. J. STANLEY.

Lieut. Governor Young, &c. &c. &c.

Ordered, That the said Papers do lie on the Table.

Then the House adjourned until to-morrow at Eleven o'clock.

RETURN OF CROWN LANDS SOLD DURING THE YEAR 1838.

| DATE OF SALE. | DESCRIPTION AND SITUATION. | UPSET MIN. PRICE. | SUM SOLD FOR. | PURCHASERS. |
|---------------------|--|-------------------------|---------------------|-------------------|
| 1838. June 16 | Town Lot No. 12, First Range, Letter A in Georgetown, | £ s. d. 7 10 0 | £ s. d. 7 15 0 | A. Macdonald. |
| | ditto 13, | 7 10 0 | 7 10 0 | W. Mac Gill. |
| | ditto 1, | 7 10 0 | 8 0 0 | James Ranton. |
| | ditto 10, | 7 10 0 | 7 15 0 | W. Stiggins. |
| | ditto 11, | 7 10 0 | 7 10 0 | J. Hemphill. |
| | ditto 14, | 7 10 0 | 8 5 0 | T. Loveday. |
| | ditto 15, | 7 10 0 | 8 0 0 | John Gates. |
| | ditto 16, | 7 10 0 | 7 10 0 | John Gates. |
| | ditto 5, Third Range | 7 10 0 | 7 10 0 | Arch. Mac Kinnon. |
| | ditto 10, | 7 10 0 | 7 10 0 | W. Sanderson. |
| | ditto 2, First Range | 7 10 0 | 7 15 0 | John Ranton. |
| | ditto 3, | 7 10 0 | 8 10 0 | W. Hayden. |
| | ditto 6, | 7 10 0 | 7 15 0 | W. Mackay, Esq. |
| | ditto 7, | 7 10 0 | 8 5 0 | W. Mackay, Esq. |
| | ditto 10, | 7 10 0 | 7 2 6 | John David. |
| | ditto 7, | 7 10 0 | 7 15 0 | D. Mac Donald. |
| | ditto 8, | 7 10 0 | 10 0 0 | John Mac Gill. |
| | ditto 9, | 7 10 0 | 10 10 0 | R. D. Montgomery. |
| | ditto 5, Third Range | 7 10 0 | 23 5 0 | John Mac Donald. |
| | Water Lot 25, in Georgetown. | 25 0 0 | 37 0 0 | John Mac Gill. |
| | Pasture Lot 74, in the Royalty of Georgetown. | 12 0 0 | 12 0 0 | Mrs. |
| | ditto 81, | 12 0 0 | 12 0 0 | Donald Mac Phee. |
| | ditto 83, | 12 0 0 | 12 0 0 | John Mac Gill. |
| | ditto 84, | 12 0 0 | 12 0 0 | Robert Head. |
| | Lot 29, adjoining the Royalty of Georgetown. | 16 0 0 | 16 0 0 | H. Griffin. |
| | Lot 33, | 23 0 0 | 23 0 0 | Angus Mac Phee. |
| | Lot 42, | 13 0 0 | 13 10 0 | R. Mac Donald. |
| | 95 Acres on Township No. 55, fronting on Cardigan River. | 1 0 0 | 95 0 0 | R. Mac Donald. |
| | | L. 401 | 2 6 | |

Surveyor General's Office, 11th February, 1839.

(Signed) GEORGE WRIGHT,
Surveyor General.

TUESDAY, February 12, 1839.

MR. D. Macdonald, from the Committee appointed to prepare and report the draught of an Address to his Excellency the Lieutenant Governor, founded on the first paragraph of the second Report of the Special Committee appointed to inquire into the Grievances which have agitated this Colony for some time past, with a view to provide a remedy—presented the draught of an Address, as prepared by the Committee; and the said Address was again read at the Clerk's Table and is as followeth:

To His Excellency SIR CHARLES AUGUSTUS FITZ ROY, K. H. Lieutenant Governor and Commander in Chief in and over Her Majesty's Island Prince Edward, and its Dependencies, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

May it please your Excellency:

The House of Assembly most respectfully beg leave to thank your Excellency for the very judicious and efficient manner in which your Excellency has conducted the perplexing question of the Fishery Reserves, as detailed in your Excellency's Message and accompanying documents, presented to the House on the 29th ult., which correspondence, as therein detailed, cannot fail to establish, in the minds of the community, the highest confidence in your Excellency's administration.

We beg leave further to state, that we are framing a Bill in accordance with these views set forth in your Excellency's Message; and we trust, by means of your Excellency's co-operation, that a measure will be accomplished to set at rest, satisfactorily, that which has so long been a matter of grievance to the Subject and embarrassment to the Executive.

Resolved, That the Address reported from the Committee be received and adopted by the House.

Ordered, That the said Address be engrossed.

Ordered, That the Committee appointed to inquire into the grievances which have agitated this Colony for some time past, with a view to provide a remedy, be a Committee to wait upon his Excellency with the said Address.

A Petition of divers Inhabitants of this Island, whose names are thereunto subscribed, was presented to the House by Mr. Rae, and the

same was received and read—praying that the Limits of the different County Jails may be extended to imprisoned Debtors, so that the limits of each separate prison may embrace the whole County in which such prison is situate.

A motion being made that the said Petition do lie on the Table;

Mr. Fraser moved, in amendment, that all the words after 'That' be struck out, and the following substituted—'it is inexpedient to grant the prayer of the said Petition;' which being seconded and put, passed in the negative.

The question being then put on the main motion, it was agreed to by the House.

A Petition of divers Inhabitants of the Western District of Township Sixteen, and the opposite part of Township Fourteen was (with the consent of His Excellency the Lieutenant Governor, that the House may proceed thereon, as they shall think fit,) presented to the House by Mr. Rae, and the same was received and read—praying an aid to improve the road communication between the Farms of John Mackinnon and Alexander Maclean, from Ellis River to the South-west Road.

Ordered, That the said Petition do lie on the Table.

A Petition of divers Inhabitants styling themselves American Loyal Refugees and disbanded Troops, and also the Representatives of such persons, was presented to the House by Mr. Rae, and the same was received and read—praying the House, for the reasons therein set forth, to adopt such measures as will enable Petitioners to obtain the possession of such lands as have been allotted to them by the Government of this Colony, or an equivalent in other lands in lieu thereof; or do otherwise, in furtherance of justice, as the House may deem meet.

Ordered, That the said Petition be referred to the Committee appointed to inquire into the Grievances which have agitated this Colony for some time past, with a view to provide a remedy, and that they do also examine and report on this Petition.

The Order of the Day being read, for the House in Committee to take into consideration the first Report of the Special Committee appointed to inquire into the Grievances which have agitated this Colony for some time past, with a view to provide a remedy, presented to this House on the 8th inst.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Clark took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Clark reported, that the Committee had come to a Resolution, which he was directed to submit to the House whenever it shall be pleased to receive the same.

Ordered, That the Report be now received.

And the Report was received, and again read at the Clerk's Table, and is as followeth:

RESOLVED That it is the opinion of this Committee, that the Report of the Special Committee be received and adopted by the House.

A motion being made, that the Report of the Committee be agreed to :

Mr. Pope moved, in amendment, that all the words after 'That' be struck out, and the following substituted—

" The House of Assembly hath at all times claimed a right to be the sole judge of the conduct of its members, in relation to its proceedings ; and hath ever possessed the power of committing to the custody of its Sergeant at Arms any of its members who may refuse obedience to the orders of the House ; and that such right is essential to the exercising of the power and authority of the House, and the due preservation of its dignity .

" That to wilfully and designedly misrepresent the proceedings of the House of Assembly, by promulgating matured assertions, that any part of such proceedings tend to strengthen the misrepresentations of other bodies or persons, made to the Throne of Great Britain, and to deceive the Ministers of the Crown in their deliberations upon matters touching the rights and liberties of the people of this Island—or by charging the House with an attempt to crush and smother, where possible, all complaints and representations preferred through its medium to the Sovereign for justice, is a breach of the known and established privileges of Parliament.

" And whereas, by certain matter, published in the month of January, 1837, in the Royal Gazette Newspaper of this Island, purporting to be a Petition from the

Inhabitants of this Island, and addressed to the King's Most Excellent Majesty, it is therein stated and charged, in reference to an Address of the House of Assembly of the said Island, agreed to by the House in the year 1836, ' That such Addresses, of seeming contradiction, tend to ' strengthen the misrepresentations of the Grantees, and ' to deceive your Majesty's Ministers ;' and it is further stated in the said Petition, that the inhabitants of this Island are deprived of their means ' to crush and smother, if possible, all complaints and representations ' made to your Majesty for justice, as will appear evident on reference to the Addresses of the present ' House of Assembly : ' and whereas the said Petition, together with four certain Resolutions, having relation thereto, and conceived and expressed in language calculated to excite the unwary inhabitants of this Island to disloyalty, and also then published in the said Royal Gazette Newspaper, were agreed to and signed by the said William Cooper, John W. Le Lacheur, and John Macintosh, Esquires, Members of the then and present House of Assembly—Resolved therefore, that they the said William Cooper, John W. Le Lacheur, and John Macintosh, Esquires, for having adopted and agreed to the subject matter of the said Petition and Resolutions, were properly amenable to the censure and punishment of the House of Assembly, of which they were Members as aforesaid.

" That the apology dictated by the late House of Assembly, in the following words : — ' I humbly apologize to ' this Honorable House, for having, at a meeting at Hay ' River, in December last, grossly misrepresented the ' proceedings and motives of the House of Assembly, in ' relation to an Address of the House in its last Session, ' to His Majesty, on the subject of establishing a Court ' of Escheats in this Island, thereby having been guilty ' of a breach of the known and established privileges of ' this House,' does not charge the said William Cooper, John W. Le Lacheur, and John Macintosh, Esquires, with sedition, nor would their submission thereto be deemed a confession of such a crime.

" That the evil consequences anticipated by Sir John Harvey, and the late House of Assembly, from the promulgation of such ' unconstitutional and dangerous doctrines' as are set forth in the proceedings of the Hay River meeting, have been averted only by the timely and salutary measures pursued by the Government and the late House of Assembly, and were not the result of any excess of loyalty or respect for the laws, entertained by the parties to the Hay River proceedings, nor to the alleged firmness displayed by William Cooper, John W. Le Lacheur, and John Macintosh, Esquires, while sub-

jected to the inconvenience consequent on a merited punishment.

"That the late House of Assembly only exercised a constitutional right, by recording its disapprobation of the conduct and proceedings of three of its Members; and his late Majesty having been graciously pleased to signify his Royal approbation of the prompt determination evinced by the late House of Assembly to vindicate and maintain the rights of individuals and the prerogatives of the Crown, as far as the same were affected by the proceedings of the Hay River Meeting, at which William Cooper, J. W. Le Lacheur and John Macintosh, Esquires, Members of the then House of Assembly, presided, as will appear by a Despatch from his late Majesty's principal Secretary of State for the Colonies, dated Downing Street, 1st May, 1837, and which was published, by authority, in the *Royal Gazette* of 20th June, 1837, and is as follows:—

No. 52. "Downing Street, 1st May, 1837.

"SIR ;

"I have received, and have laid before the King, Sir John Harvey's Despatches of the 24th and 26th of January, and 7th of February last, on the subject of certain proceedings which took place at a public meeting held at Hay River, in Prince Edward Island, with reference to the decision of His Majesty's Government on the Address to the King, praying for the establishment of an Escheat Court.

"His Majesty commands me to express his approbation of the active steps taken by Sir John Harvey, to counteract and suppress the unconstitutional doctrines embodied in the Address adopted at that Meeting; and His Majesty has perceived with peculiar satisfaction the prompt determination evinced by the House of Assembly to vindicate and maintain the rights of Individuals and the prerogatives of the Crown. His Majesty trusts that the decided manner in which the Address adopted at the Hay River Meeting has been reprobated by the Representatives of the people, and by the Executive Government of Prince Edward Island, will disabuse the minds of any persons who may have ignorantly adopted views in regard to the Grantees of Land inconsistent with the Law and with the universal rights of property.

"With respect to the situation of the Tenantry in Prince Edward Island, I learn with much regret the distress to which they are exposed. At the same time it would be impossible for His Majesty's Government to interfere, otherwise than as a mediator between them and their landlords. I would fain hope that the communication addressed to the latter by Sir John Harvey, on the 15th February last (a copy of which he transmitted

to me on the 7th March), will induce them not to press with severity on their tenants; and should I have the opportunity of communicating officially with those gentlemen, I should be prepared to support Sir John Harvey's recommendations, which appear to me to be founded on a humane and wise consideration of the circumstances of the case.

"I have the honor to be, Sir,

"Your most obdt. humble servant,

(Signed)

"GLENELG.

"The Officer administering the Government of Prince Edward Island."

"Therefore Resolved, That it is inexpedient and highly improper to expunge any of the proceedings of the late House of Assembly, in relation to the conduct of William Cooper, John Windsor Le Lacheur and John Macintosh, Esquires, at the Hay River Meeting, from the Journal of the House, inasmuch as such a proceeding would be a gross reflection on the judgment pronounced by His late Majesty's Government, and would be deemed an acquiescence by this House in language that has been held highly unconstitutional and dangerous, and calculated to excite the inhabitants of this Colony to disloyalty."

The House divided on the motion of amendment :

YEAS :

Mr. Longworth,

Mr. Yeo,

Mr. Pope,

Mr. Hudson,

Mr. J. S. Macdonald,

Mr. Palmer.

NAYS :

Mr. Gorman,

Mr. Rae,

Mr. Montgomery,

Mr. J. Dingwell,

Mr. D. Macdonald,

Mr. Thomson,

Mr. Beck,

Mr. Dalziel,

Mr. Forbes,

Mr. Arbuckle,

Mr. Fraser,

Mr. W. Dingwell,

Mr. Clark,

Mr. Macneill,

Mr. Macfarlane.

So it passed in the negative.

The question being then put on the main motion,

The House again divided :

YEAS :

Mr. Forbes,

Mr. W. Dingwell,

Mr. Montgomery,

Mr. J. Dingwell,

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| <i>Mr. Fraser,</i> | <i>Mr. Arbuckle,</i> |
| <i>Mr. Dalziel,</i> | <i>Mr. Macfarlane,</i> |
| <i>Mr. Gorman,</i> | <i>Mr. Rae,</i> |
| <i>Mr. Beck,</i> | <i>Mr. Clark,</i> |
| <i>Mr. Macneill,</i> | <i>Mr. Thomson.</i> |
| <i>Mr. D. Macdonald,</i> | |

NAYS :

| | |
|-----------------------------|-----------------------|
| <i>Mr. Palmer,</i> | <i>Mr. Hudson,</i> |
| <i>Mr. J. S. Macdonald,</i> | <i>Mr. Yeo,</i> |
| <i>Mr. Pope,</i> | <i>Mr. Longworth.</i> |

So it was carried in the affirmative.

Mr. D. Macdonald moved, that the House do come to a Resolution as followeth :

Resolved, That as the Despatch from the Right Honorable Lord Glenelg, approving of the coercive proceedings of the late House of Assembly against the three Members for King's County, was not officially communicated to this House, it is a proof that the Government are become sensible that the Inhabitants are truly loyal—that the coercive proceedings of the late House of Assembly were not only uncalled for, but unfounded and unjust ; and that the accusation of being guilty of sedition and disloyalty against the persecuted

Members, or the people of this Island, was only the subterfuge of a faction, to impose upon and deceive Her Majesty's Government, in order to prevent the settlement of the Agricultural Inhabitants upon the land, and to enable Grantees, or Proprietors whose lands are forfeited, to take advantage of such subterfuge, to deprive the occupiers of the soil, of their improvements and their property.

The House divided on the question.

YEAS, 15,

NAYS, 6,

And the names being called for, they were taken down as in the last preceding division.

So it was carried in the affirmative—and

Resolved, accordingly.

On motion of *Mr. Thomson*—

Resolved, That it is the opinion of this House, that such Representatives of the People as deceive Government, by endeavouring to prevent free discussion on political subjects, on which depend the rights, liberties and happiness of a people, in order to forward the views of a faction, are unworthy the suffrages of an unfettered constituency.

Then the House adjourned until to-morrow at Eleven o'clock.

WEDNESDAY, February 13, 1839.

MR. Palmer, from the Committee to whom was referred the several Acts relating to Charlottetown, about to expire, with leave to report from time to time, by Bills or otherwise, presented to the House a Bill to continue and amend the Act, 3 Will. 4, cap. 32, intituled 'An Act for the regulation of the Public Wharf of Charlottetown,' and the same was read the first time.

Ordered, That the said Bill be read a second time to-morrow.

A Petition of divers Inhabitants of West River, East Parish King's County, was (with the consent of his Excellency the Lieutenant Governor, that the House may proceed thereon as they shall think fit) presented to the House by *Mr. Thomson*, and the same was received and read ; setting forth—that from

fifteen to twenty boats are engaged in the fishery out of the West River, and considerable quantities of agricultural produce are annually shipped there. That the harbour possesses the greatest facilities for the shipment of produce of any place from St. Peter's Bay, on the North, to Souris, on the South, being a space of sixty miles of seaboard—that it is the only safe place of shelter in all that distance for small vessels—that much inconvenience is felt from the want of a road leading from the highway to some place near the mouth of the harbour, about one third of a mile in length—that a Public Wharf on the River would afford great accommodation to the shippers of produce in that section of the country—and praying the House for an aid to construct a Wharf at the said place, and make a road leading thereto from the public highway.

Ordered, That the said Petition do lie on the Table.

Then the House adjourned until to-morrow at Eleven o'clock.

THURSDAY, February 14, 1839.

A Message from His Excellency the Lieutenant Governor.

Mr. Secretary Collins, by his Excellency's command, delivered the following Message:

CHARLES A. FITZ ROY, Lieut. Governor.

The Lieutenant Governor having observed in the copy of the Journals of the House of Assembly of the 12th instant, furnished to him this morning, a Resolution, stating—"That as the Despatch from the Right Honorable Lord Glenelg, approving of the coercive proceedings of the late House of Assembly against the three King's County Members, was not officially communicated to this House, it is a proof that the Government are become sensible that the inhabitants are truly loyal; that the coercive proceedings of the late House of Assembly were not only uncalled for, but unfounded and unjust; and that the accusation of being guilty of sedition and disloyalty against the persecuted members, or the people of this Island, was only the subterfuge of a faction, to impose upon and deceive Her Majesty's Government, in order to prevent the settlement of the inhabitants upon the land, and to enable grantees or proprietors whose lands are forfeited to take advantage of such subterfuge, to deprive the occupiers of the soil of their improvements and their property," deems it proper to explain, for the information of the House of Assembly, that the Despatch alluded to having been received in this Colony previously to his assumption of the Government, and having been published in the *Royal Gazette*, Newspaper, of the 20th June, 1837, by the authority of the then Administrator of the Government, the necessity of laying it before the late House of Assembly did not occur to him; and as that body was more immediately interested in it, as containing therein the expression of His late Majesty's approbation of their proceedings upon the particular matter to which it relates, he considered it unnecessary to communicate the said Despatch to the present House of Assembly; but, as the House of Assembly appear to attach some importance to its not having been "officially communicated to them," the Lieutenant Governor avails himself of the earliest opportunity, after becoming acquainted with their opinion, to lay a copy of this Despatch before them.

Government House, 13th February, 1839.

[COPY.]

No. 52.

"Downing Street, 1st May, 1837.

"Sir;

"I have received, and have laid before the King, Sir John Harvey's Despatches of the 24th and 26th of January, and 7th of February last, on the subject of certain proceedings which took place at a public meeting held at Hay River, in Prince Edward Island, with reference to the decision of His Majesty's Government on the Address to the King, praying for the establishment of an Escheat Court.

"His Majesty commands me to express his approbation of the active steps taken by Sir John Harvey, to counteract and suppress the unconstitutional doctrines embodied in the Address adopted at that Meeting; and His Majesty has perceived with peculiar satisfaction the prompt determination evinced by the House of Assembly to vindicate and maintain the rights of Individuals and the prerogatives of the Crown. His Majesty trusts that the decided manner in which the Address adopted at the Hay River Meeting has been reprobated by the Representatives of the people, and by the Executive Government of Prince Edward Island, will disabuse the minds of any persons who may have ignorantly adopted views in regard to the Grantees of Land inconsistent with the Law and with the universal rights of property.

"With respect to the situation of the Tenantry in Prince Edward Island, I learn with much regret the distress to which they are exposed. At the same time it would be impossible for His Majesty's Government to interfere, otherwise than as a mediator between them and their landlords. I would fain hope that the communication addressed to the latter by Sir John Harvey, on the 15th February last (a copy of which he transmitted to me on the 7th March), will induce them not to press with severity on their tenants; and should I have the opportunity of communicating officially with those gentlemen, I should be prepared to support Sir John Harvey's recommendations, which appear to me to be founded on a humane and wise consideration of the circumstances of the case.

"I have the honor to be, Sir,

"Your most obdt. humble servant,

(Signed)

"GLENELG.

"The Officer administering the Government of Prince Edward Island."

Ordered, That the said Message and accompanying Document, do lie on the Table.

A Petition of divers Inhabitants of Covehead was (with the consent of His Excellency the Lieutenant Governor, that the House may proceed thereon as they shall think fit,) presented to the House, by Mr. *Macfarlane*, and the same was received and read—praying the House to grant a sum in aid of George Farmer, of that place, whose House was destroyed by Fire, on the 15th January last.

Ordered, That Mr. *Macfarlane* have leave to withdraw the said Petition.

Two Petitions were (with the consent of His Excellency the Lieutenant Governor, that the House may proceed thereon as they shall think fit,) presented to the House, and the same were received and read, viz.

By Mr. Macfarlane—A Petition of divers Inhabitants of Covehead, Brackley Point, and Little Tracadie, praying an aid of Twenty-five Pounds, to complete the Road from Stauhope Farm to the Corran-Ban Bridge; and also an aid to drain two Swamps on the line of said Road.

By Mr. Rae—A Petition of Johannah Redmond, of Township Thirty-four, praying an aid towards the support of her daughter Mary, who is totally deprived of the use of her limbs.

Ordered, That the two last preceding Petitions do lie on the Table.

Mr. *Clark*, from the Committee appointed to inquire into the Grievances which have agitated this Colony for some time past, with leave to report from time to time, by Bills or otherwise, presented to the House a Bill for the relief of the American Loyal Emigrants and Disbanded Troops in this Colony, and the same was read the first time.

Ordered, That the said Bill be read a second time to-morrow.

Then the House adjourned for two hours,

And being met—

The Bill to continue and amend the Act for regulating the Public Wharf of Charlottetown, was, according to order, read a second time.

Ordered, That the said Bill be now committed to a Committee of the whole House. The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Palmer took the Chair of the Committee.

Mr Speaker resumed the Chair.

Mr. *Palmer* reported, that the Committee had gone through the Bill, and made several amendments thereto; and the said amendments were again read at the Clerk's Table, and agreed to by the House.

And a further amendment being proposed to be made to the Bill in Section 2, by striking out the words 'Thirty Pounds' and inserting 'Twenty-five Pounds' instead thereof; The House divided on the question.

YEAS:

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| Mr. <i>Rae</i> , | Mr. <i>Arbuckle</i> , |
| Mr. <i>J. Dingwell</i> , | Mr. <i>Forbes</i> , |
| Mr. <i>D. Macdonald</i> , | Mr. <i>Fraser</i> , |
| Mr. <i>Macneill</i> , | Mr. <i>Macintosh</i> , |
| Mr. <i>Le Lacheur</i> , | Mr. <i>Macfarlane</i> . |

NAYS:

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| Mr. <i>Longworth</i> , | Mr. <i>Hudson</i> , |
| Mr. <i>Yeo</i> , | Mr. <i>J. S. Macdonald</i> , |
| Mr. <i>Pope</i> , | Mr. <i>Palmer</i> . |
| Mr. <i>Gorman</i> , | Mr. <i>Dalziel</i> , |
| Mr. <i>Montgomery</i> , | Mr. <i>W. Dingwell</i> , |
| Mr. <i>Thomson</i> , | Mr. <i>Clark</i> . |

So it passed in the negative

Ordered, That the said Bill, as amended, be engrossed, and that the Title be *An Act to continue and amend the Act regulating the Public Wharf of Charlottetown*.

Mr. *Fraser*, from the Committee to whom was referred the Bill to amend the Act for enabling Creditors to recover their just Debts out of the effects of their absent or absconding Debtors, reported, that the Committee had gone through the Bill, and made several amendments thereto; and he read the Report in his place, and delivered it in, with the Bill at the Clerk's Table, where the amendments were again read.

Ordered, That the said Bill and Report be committed to a Committee of the whole House to-morrow.

Then the House adjourned until to-morrow at Eleven o'clock.

FRIDAY, February 15, 1839.

M*R. D. Macdonald*, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the 12th inst. on the subject of the Fishery Reserves, reported to the House that their Address had been presented to His Excellency, to which His Excellency had been pleased to make the following answer :

I thank the House of Assembly for this Address. I am glad that the manner in which I conducted the correspondence respecting the Fishery Reserves has met their approbation ; and I am much gratified by their expression of confidence in my administration of the Government. I earnestly hope that the Bill which the House of Assembly are now framing may settle this question satisfactorily.

Twelve Petitions were (with the consent of His Excellency the Lieutenant Governor, that the House may proceed thereon as they shall think fit,) presented to the House, and the same were received and read, viz :—

By Mr. Thomson—A Petition of Elizabeth Shaffy, of Grand River, King's County, praying an aid towards the support of an helpless and deformed child.

A Petition of William Johnston, of Cumberland Hill, Grand River, King's County ; setting forth—That Petitioner has served faithfully in the 42d Regt. or Royal Highlanders, for a period of eighteen years, and was wounded in several engagements, and was discharged in consequence of the peace of 1814, with a pension and certificates of good character. That after supporting himself and family for several years upon his pension, and by acting as a Game-keeper, he was induced by the specious representations of the British Government, to accept of a commutation for his pension, and emigrate to America, in the hope of benefitting his family—that such commutation money was soon expended in the necessary outfits for the voyage, in passage money, and in the maintenance of himself and family, until he obtained a location of land.—That through ill health, and

from the effects of wounds received in his country's service, and also from having his crops destroyed by early frosts the last two years, he is under the necessity of applying to the House for relief—and praying an aid for that purpose.

By Mr. J. S. Macdonald.—A Petition of James Conway, the younger, of Township Thirty-two, a blind person, in indigent circumstances, praying relief.

A Petition of John Ready, of Tracadie, a blind person, in indigent circumstances, praying a continuance of the grant heretofore allowed for his support.

A Petition of Mary Macleod, of Fort Augustus, a destitute and aged widow, praying for a continuance of the grant heretofore allowed for her support.

A Petition of Rosanna Mitchell, of Township Thirty-seven, setting forth her distressed circumstances, in consequence of her husband being confined with a dropsy, besides a complication of other afflictions, and from having a number of children to maintain without the means of earning a livelihood---and praying relief.

A Petition of divers Inhabitants on the Winsloe Road, Township Thirty-three, praying an aid to reduce the size of a very steep Hill which obstructs the road between their residences and the Princetown road.

A Petition of divers Inhabitants of Townships Thirty-six and Thirty-seven, south of the Hillsborough, praying an aid of Forty-eight Pounds, to bridge Duffy's and Reilly's Creeks, and levelling the Hills on each side thereof.

A Petition of divers Inhabitants of Fort Augustus and Monaghan Settlements, praying an aid of Twenty-five Pounds, for bridging Britt's Swamp, and raising and repairing the public Road over the same.

A Petition of divers Inhabitants of Townships Thirty-five, Thirty-six and Thirty-seven, praying an aid to construct a Hard or Slip on the South side of the Hillsborough, at M'Connell's Ferry.

By Mr. Macintosh---A Petition of divers Inhabitants of Townships Forty-three and Forty-four, praying an aid to complete a Road from the centre of the Lot Forty-four road to the head of Sonris River.

A Petition of Elizabeth Brow, of Township Forty-seven, praying a grant to relieve her in her present distressed condition.

Ordered, That the twelve preceding Petitions do lie on the Table.

Read a third time, as engrossed, the Bill intituled *An Act to continue and amend the Act regulating the Public Wharf of Charlottetown.*

Resolved, That the said Bill do pass.

Ordered, That Mr. Palmer do carry the said Bill to the Council, and desire their concurrence.

The Order of the Day, for the House in Committee on the Bill to amend the Act, 20 Geo. 3, cap. 9, for enabling Creditors to recover their just Debts out of the effects of their absent or absconding Debtors, being read ;

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Fraser took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Chairman reported, that the Committee had made some progress and had directed him to move for leave to sit again.

Mr. Speaker having put the question, 'Is it the pleasure of the House that the Committee have leave to sit again.'

The House divided :

YEAS, 15,

NAYS, 8,

So it was carried in the affirmative—and

Ordered, accordingly.

Ordered, That Mr. Thomson, have leave to absent himself from this House until Monday next.

Ordered, That Mr. Pope have leave to absent himself until Tuesday next.

SATURDAY, February 16, 1839.

O*RD*ERED, That Mr. Hudson have leave to absent himself from this House until Tuesday next.

Ordered, That the Committee appointed to inquire into the grievances which have agitated this Colony for some time past, with a view to provide a remedy, have leave to employ Counsel in framing certain Bills.

Two Petitions were (with the consent of His Excellency the Lieutenant Governor, that the House may proceed thereon, as they shall think fit,) presented to the House by Mr. Forbes, and the same were received and read, viz.

A Petition of divers Inhabitants of Township Forty-eight, praying an aid to improve the Road between Forbes's Mill and Gay's Saw Mill, on the said Township.

A Petition of Nancy Keilly, of Township Thirty-five, setting forth—that her Husband is subject to melancholy derangement, so as to render him incapable of providing for his helpless family, consisting of himself and se-

ven Children, who are in the most destitute condition—and praying relief.

Ordered, That the two preceding Petitions do lie on the Table.

Mr. Clark, from the Committee appointed to inquire into the Grievances which have agitated this Island for some time past, with leave to report from time to time, by Bills or otherwise, presented to the House a Bill for the regulation of the Fishery Reserves in this Island, and the same was read the first time.

The Bill for the relief of the American Loyal Emigrants and disbanded Troops in this Colony, was, according to order, read a second time.

Ordered, That the said Bill be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Le Lacheur took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, That the Committee had made some progress, and had directed him to move for leave to sit again—which the House agreed to.

A Message from the Council, by Mr. Desbrisay :

Mr. Speaker,

The Legislative Council desire a Conference with the House of Assembly, on the Bill intituled *An Act for the improvement of property in Georgetown, and to provide against accidents by Fire*; and have appointed the Honorables Mr. Haviland and Mr. Attorney General a Committee to manage the said Conference—to meet in the Committee Room tomorrow, at Two o'clock.

Council Chamber, Friday }

15th February, 1839. }

And then he withdrew.

Resolved, That this House do agree to a Conference, as is desired by the Council, on the Bill, intituled *An Act for the improvement of property at Georgetown, and to provide against accidents by Fire*.

Ordered, That Mr. Palmer, do go to the Council and acquaint them therewith.

Ordered, That Mr. Clark, Mr. Palmer, Mr. Le Lacheur and Mr. J. Dingwell, be a Committee to manage the said Conference.

Resolved, That this House do now resolve itself into a Committee of the whole House, on the further consideration of the Bill for the relief of the American Loyal Emigrants and disbanded Troops in this Colony.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Le Lacheur took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had made some progress, and had directed him to move for leave to sit again; which the House agreed to.

The time for holding the Conference with the Council on the Bill, intituled *An Act for the improvement of Property at Georgetown, and to provide against accidents by Fire*, having arrived;

And the names of the Managers being called over, they went to the Conference.

And being returned—

Mr. Clark reported, that the Managers had been at the Conference, and he stated the substance thereof to the House.

Then the House adjourned for one Hour,

And being met—

Four Petitions were (with the consent of His Excellency the Lieutenant Governor that the House may proceed thereon as they shall think fit,) presented to the House, and the same were received and read, viz.

By Mr. Fraser.—A Petition of divers Inhabitants of Township Sixteen, praying an aid to complete the Road between Rochford's and Macgregor's.

A Petition of divers Inhabitants of the same Township, praying an aid to repair the Road leading to Ellis River Shore.

By Mr. Macneill.—A Petition of divers Inhabitants of South West and Mill River Settlements, New London, praying an aid to improve the road communication from Grenville Mills through the settlement on Mill River, and to erect three Bridges on the end of said road, towards Campbelltown,

A Petition of divers Inhabitants of Brackley Point, praying an aid to erect a Bridge on the Road leading from the New Glasgow Road to Brackley Point, near William Mathieson's Mill Dam.

Ordered, That the four preceding Petitions do lie on the Table.

Resolved, That this House do now resolve itself into a Committee of the whole House, on the further consideration of the Bill for the relief of the American Loyal Emigrants and disbanded Troops in this Colony.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Le Lacheur took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had made some progress, and had directed him to move for leave to sit again, which the House agreed to.

A motion being made that the House do adjourn,

The House divided on the question.

Yeas, 7.

Nays, 9.

So it passed in the negative.

Then, on Motion of Mr. *Rae*, the House adjourned for half an hour,

And being met—

Ordered, That the Bill for the relief of the American Loyalists and disbanded Troops in this Colony, be referred back to the Committee who prepared it, to report thereon, by amendments or otherwise.

Then the House adjourned until Monday next at Twelve o'clock.

MONDAY, February 18, 1839.

UPON reading the Journals of Saturday's proceedings, a motion was made, that the Order for referring the Bill for the relief of the American Loyal Emigrants and disbanded Troops in this Island, back to the Special Committee who prepared it, be discharged, as being irregular.

Mr. *Palmer* moved, by way of amendment, that the said entry do stand on the Journal, until the standing Orders of the House are complied with.

Mr. *Clark* moved, in amendment to the proposed amendment, that all the words after 'That' he struck out, and the following substituted,—'the thirteenth Rule of this House be suspended, as far as respects the original motion.'

The House divided on the motion of amendment,

YEAS :

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| Mr. <i>Clark</i> , | Mr. <i>Arbuckle</i> , |
| Mr. <i>Montgomery</i> , | Mr. <i>W. Dingwell</i> , |
| Mr. <i>Forbes</i> , | Mr. <i>Fraser</i> , |
| Mr. <i>Macintosh</i> , | Mr. <i>J. Dingwell</i> , |
| Mr. <i>Gorman</i> , | Mr. <i>Le Lacheur</i> , |
| Mr. <i>Beck</i> , | Mr. <i>D. Macdonald</i> , |
| Mr. <i>Macneill</i> , | Mr. <i>Macfarlane</i> . |

NAYS :

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| Mr. <i>Palmer</i> , | Mr. <i>Longworth</i> . |
| Mr. <i>Yeo</i> , | |

So it was carried in the affirmative.

The original Motion of amendment, as amended, was then put and carried.

The question being then put on the main motion, it was agreed to by the House.

A Message from the Council, by Mr. *Desbrisay* :

Mr. Speaker,

The Legislative Council have passed the following Bills, without any amendment :

An Act for further continuing an Act, intituled 'An Act to regulate the Fisheries of this Island.'

An Act to authorize the appointment of Coal Meters for Charlottetown.

An Act to continue for a limited period three several Acts therein mentioned.

An Act to continue and amend the Act regulating the Public Wharf of Charlottetown.

And then he withdrew.

Eight Petitions were (with the consent of his Excellency the Lieutenant Governor, that the House may proceed thereon as they shall think fit,) presented to the House, and the same were received and read, viz.

By Mr. Le Lacheur.—A Petition of George and Daniel Prott, of Township Forty-nine, praying for an alteration in the line of the Georgetown Road running through their land, and for a grant of money to defray the expence of making said alteration,

A Petition of divers Inhabitants of Vernon and Orwell River Settlements, praying an aid to build a Bridge over Crooked Creek, near the Head of Orwell River.

A Petition of Maria Fair, of Vernon River, Widow, praying for a grant of money, to assist her in her present distressed situation.

By Mr. Arbuckle.—A Petition of John Currie, of Vernon River, praying an aid towards the support of a son, now arrived at the years of manhood, who for the greater part of his life has been afflicted with the falling sickness ; and has from infancy been deprived of his senses.

A Petition of divers Inhabitants of the South side of Murray Harbour, White Sands, Wood Islands, and adjacent Settlements, praying that the Mails may be forwarded in future to the South side of Murray Harbour, through Belfast and Flat River.

A Petition of Lauchlan Macleod, of Princetown Road; setting forth—that the new line of the Princetown Road, through the Royalty of Charlottetown, lately run in virtue of an Act of the General Assembly, passes through Petitioner's land, on Township Thirty-three, for the distance of three Chains adjoining the junction of the new line with the old road, whereby a small triangular piece of land lying between the two roads, has been rendered of little value to him, and praying the House to grant him such compensation as may seem commensurate with the damage sustained.

A Petition of divers Inhabitants of Gallows Point and the adjoining Settlements, praying an aid of Ten Pounds to run out the centre road to Orwell Bay.

By Mr. Rae.—A Petition of divers Inhabitants of Cantire Settlements, Township Thirty-three, praying an aid to improve the road communication between the said Settlement and the Winsloe Road.

Ordered, That the eight preceding Petitions do lie on the Table.

The two following Petitions were presented to the House by Mr. Rae, and the same were received and read, viz.

A Petition of divers Inhabitants of Indian River, Oyster Cove and Shipyard, praying for the establishment of a Post Office at Oyster Cove Cross Roads, and for an alteration in the route of the Mail, so as to accommodate the above mentioned Settlements.

A Petition of divers Inhabitants of the Northern Section of Township Twenty; setting forth—that Petitioners are about to erect a School House near the Third Pond, but will not be able to raise the number of Scholars sufficient to entitle them to any Legislative assistance under the present School Act; and praying the House to take the subject into consideration and afford relief.

Ordered, That the two preceding Petitions do lie on the Table.

A Petition of divers Inhabitants of New London and its vicinity, was also presented to the House by Mr. Rae, and the same was received and read; setting forth—that the

Petitioners are in connexion with the established Church of Scotland: that the Church of Scotland is entitled to a share of the state provision made by Government for the support of the Gospel in the Colonies, in common with the Church of England, in proportion to the number of the Members of each Church respectively, agreeably to the articles of union between the Kingdoms of England and Scotland, and as authorized by a decision of the House of Commons in the year 1828---that the Glebe Lands were the only property appropriated by Government for the support of the Gospel in this Island; these being now alienated, Petitioners hope the House will avert the cruel consequences of depriving them of the means of grace, by moderately endowing every congregation in the colony, connected with their Church, with an annuity of Fifty Pounds, currency, when a stipend of less than One Hundred and Fifty Pounds a year, is the utmost provision that can be made for the support of a Minister otherwise---and praying the House to take the premises into consideration, and to pass an Act accordingly, in conformity with the Laws of the Church.

A Motion being made, that the House do now adjourn.

The House divided on the question.

YEAS :

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| <i>Mr. Clark,</i> | <i>Mr. Dalziel,</i> |
| <i>Mr. Macintosh,</i> | <i>Mr. Yeo,</i> |
| <i>Mr. Palmer,</i> | <i>Mr. Montgomery,</i> |
| <i>Mr. Le Lacheur,</i> | <i>Mr. Longworth.</i> |
| <i>Mr. D. Macdonald,</i> | |

NAYS :

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|------------------------|-------------------------|
| <i>Mr. Thomson,</i> | <i>Mr. J. Dingwell,</i> |
| <i>Mr. Forbes,</i> | <i>Mr. Fraser,</i> |
| <i>Mr. Macfarlane,</i> | <i>Mr. Macneill,</i> |
| <i>Mr. Arbuckle,</i> | <i>Mr. Beck,</i> |
| <i>Mr. Gorman,</i> | <i>Mr. W. Dingwell.</i> |

So it passed in the negative.

Mr. Rae moved, that the last preceding Petition be referred to the Committee to whom was referred the Message of his Excellency the Lieutenant Governor, of the 28th ultimo,

with the accompanying documents, relative to the appropriation of the proceeds of the Glebe and School Lands.

Mr. *Clark* moved, by way of amendment, that the House do adjourn for one hour.

The House divided on the motion of amendment:

YEAS, 9,

NAYS, 10,

So it passed in the negative.

Mr. *Palmer* then moved, in amendment to the main motion, that all the words after 'That' be struck out, and the following substituted, 'the prayer of the said Petition be rejected.'

The House divided on the motion of amendment.

YEAS:

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| Mr. <i>Yeo</i> , | Mr. <i>Le Lacheur</i> , |
| Mr. <i>Longworth</i> , | Mr. <i>Palmer</i> , |
| Mr. <i>Montgomery</i> , | Mr. <i>Clark</i> . |

NAYS:

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|--------------------------|---------------------------|
| Mr. <i>Rae</i> , | Mr. <i>Arbuckle</i> , |
| Mr. <i>J. Dingwell</i> , | Mr. <i>Forbes</i> , |
| Mr. <i>Fraser</i> , | Mr. <i>D. Macdonald</i> , |
| Mr. <i>Thomson</i> , | Mr. <i>Macfarlane</i> , |
| Mr. <i>Macneill</i> , | Mr. <i>Macintosh</i> , |
| Mr. <i>Beck</i> , | Mr. <i>W. Dingwell</i> . |

So it passed in the negative.

Mr. *Longworth* then moved, in amendment to the main motion, that all the words after 'That' be struck out, and the following substituted---'the said Petition be taken into consideration this day six months.'

The House divided on the motion of amendment:

YEAS:

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| Mr. <i>Longworth</i> , | Mr. <i>Montgomery</i> , |
| Mr. <i>Dalziel</i> , | Mr. <i>Clark</i> , |
| Mr. <i>D. Macdonald</i> , | Mr. <i>Le Lacheur</i> , |
| Mr. <i>Palmer</i> , | Mr. <i>Yeo</i> . |

NAYS:

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|------------------------|--------------------------|
| Mr. <i>Gorman</i> , | Mr. <i>Macfarlane</i> , |
| Mr. <i>Arbuckle</i> , | Mr. <i>W. Dingwell</i> , |
| Mr. <i>Thomson</i> , | Mr. <i>Forbes</i> , |
| Mr. <i>Macneil</i> , | Mr. <i>J. Dingwell</i> , |
| Mr. <i>Macintosh</i> , | Mr. <i>Beck</i> . |
| Mr. <i>Fraser</i> , | |

So it passed in the negative.

Mr. *Palmer* again moved, in amendment to the main motion, that all the words after 'That' be struck out, and the following substituted---'it is inexpedient to grant the prayer of the Petition.'

To which motion of amendment, an amendment was proposed, by adding to the end of the question of amendment---'but that the said Petition be referred to the Committee to whom was referred the Message of His Excellency the Lieutenant Governor, of the 28th ult. with the accompanying documents, relative to the appropriation of the proceeds of the Glebe and School Lands, for information.'

The House divided on the question of amendment:

YEAS:

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|---------------------------|------------------------|
| Mr. <i>D. Macdonald</i> , | Mr. <i>Rae</i> , |
| Mr. <i>Forbes</i> , | Mr. <i>Arbuckle</i> , |
| Mr. <i>J. Dingwell</i> | Mr. <i>Gorman</i> , |
| Mr. <i>Macneil</i> , | Mr. <i>Beck</i> , |
| Mr. <i>Macfarlane</i> , | Mr. <i>Fraser</i> , |
| Mr. <i>Thomson</i> , | Mr. <i>Macintosh</i> . |
| Mr. <i>W. Dingwell</i> , | |

NAYS:

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|------------------------|-------------------------|
| Mr. <i>Palmer</i> , | Mr. <i>Dalziel</i> , |
| Mr. <i>Yeo</i> , | Mr. <i>Le Lacheur</i> , |
| Mr. <i>Clark</i> , | Mr. <i>Montgomery</i> , |
| Mr. <i>Longworth</i> . | |

So it was carried in the affirmative.

Mr. *Palmer's* motion of amendment, as amended, was then put and carried:

The question being then put on the main motion, as amended:

The House again divided:

YEAS, 13,

NAYS, 7,

And the names being called for, they were taken down as in the preceding division.

A Message from the Council by Mr. *Desbrisay*,

Mr. *Speaker*,

The Legislative Council have passed the Bill, intituled 'An Act to further continue for a limited period, an Act passed in the Fifty-ninth year of the Reign of His late Majesty King George the Third, intituled 'An Act for regulating Juries, and further declaring the qualifications of Jurors,' with an amendment,

to which they desire the concurrence of the Assembly.

And then he withdrew.

Then the House adjourned for one hour,

And being met—

Five Petitions were (with the consent of His Excellency the Lieutenant Governor, that the House may proceed thereon, as they shall think fit,) presented to the House, and the same were received and read, viz.

By Mr. Clark.—A Petition of divers Inhabitants of Princetown and Princetown Royalty; setting forth—that for a variety of reasons, Petitioners were induced to separate from the School previously supported by them in the Royalty, and to erect a sufficient School House in a convenient and central situation, for their own accommodation, which has been exclusively used for that purpose, and conducted by Mr. Alexander Rae, A. M.—that Petitioners believe that upward of Sixty Scholars received tuition during the past year, and that there will be an equal if not a greater number during the current year.—That Petitioners consider it unfair that the provisions of the present School Act with reference to the relative distance of District Schools from each other, should extend to the Royalties, where there is necessarily a much denser population than in the Townships—and praying the House to take the premises into consideration and admit them to a participation of the Legislative aid for the encouragement of education.

A Petition of the Committee and Officers entrusted with the management of the affairs of the ‘Charlottetown Mechanic’s Institute,’ praying an aid to enable them to advance the objects for which the Society was founded.

A Petition of Mary Hickey of Township Eighteen, setting forth—that she is afflicted with paralyses in her right arm, and is perfectly incapable of supporting herself—and praying relief.

A Petition of Daniel Quigley, of Princetown Royalty, praying an aid to support him in his present distressed condition.

By Mr. Macfarlane.—A Petition of divers Inhabitants of Suffolk Road Settlement, and its vicinity, praying an aid to repair the Bridge called ‘Big Bridge,’ on the said Road, at present in a dilapidated state.

Ordered, That the five preceding Petitions do lie on the Table.

The amendment made by the Council to the Bill, intituled ‘*An Act to further continue for a limited period, an Act passed in the Fifty-ninth year of the Reign of His late Majesty King George the Third, intituled ‘An Act for regulating Juries, and further declaring the qualifications of Jurors,’*’ was read the first time, and is as follows:

Folio 2, Line 6—After the word ‘hereof,’ insert ‘and
‘from thence to the end of the then
‘next Session of the General Assembly.’

Ordered, That the said amendment be read a second time to-morrow.

Then the House adjourned until to-morrow at Eleven o’clock.

TUESDAY, February 19, 1839.

TWENTY-TWO Petitions were (with the consent of His Excellency the Lieutenant Governor, that the House may proceed thereon as they shall think fit,) presented to the House, and the same were received and read, viz.

By Mr. Forbes.—A Petition of divers Inhabitants of that tract of country situate between Long Branch and Bonshaw, on the South bank of the Elliot River, praying an aid to complete a road lately laid out from below Long Branch to the head of Elliot River.

A Petition of John Burns, of Township Thirty-five, an aged man, in indigent circumstances, burthened with the maintenance of a son in a state of idiocy, and praying relief.

By Mr. Le Lacheur.—A Petition of James Maddox, of Newtown, a blind person, in indigent circumstances, praying relief.

A Petition of divers Inhabitants of Vernon River, Orwell, Murray Harbour Road, and adjacent Settlements, praying a grant of Fifty Pounds, in aid of individual subscriptions, towards constructing a Wharf at Milford Yard.

A Petition of divers Inhabitants of Seal River Settlement, praying an aid of Ten Pounds, to improve the Road leading from Seal River Point to the main road between Charlottetown and Georgetown.

A Petition of divers Inhabitants residing on the Winsloe Road, praying an aid to repair the said Road.

By Mr. Macneill.—A Petition of divers Inhabitants of New London, Cavendish, New Glasgow, and Rustico, praying for a grant to aid individual subscription, towards erecting a Bridge over Mill River, at Fyfe's Ferry.

A Petition of divers Inhabitants of Rustico, New Glasgow and adjacent settlements, praying an aid to improve the road communication between New Glasgow and Bagnall's, on the Princetown Road.

By Mr. Gorman.—A Petition of divers Inhabitants of Township One, Two and Three, praying an aid of One hundred Pounds, towards erecting a Bridge over Big Tignish Pond.

A Petition of divers inhabitants of Cascumpeque and Township Eleven, praying an aid to build three small Bridges on the road leading from Foxley River to Ellis River; also to erect a Bridge on the road leading from the Lower Settlement to the main road, across a brook and marsh at Thomas Boyle's fence.

A Petition of divers Inhabitants of Townships Twelve, Thirteen and Fourteen, praying an aid to improve the road from Trout River Bridge, on Township Thirteen, to the main Western Road.

A Petition of James Inglis, of Township Fourteen, an aged and infirm person, in indigent circumstances, praying relief.

By Mr. Montgomery.—A Petition of Ann Trugard, of Park Corner, New London, an aged and infirm person, praying relief.

A Petition of divers Inhabitants of Park Corner, and its vicinity, praying an aid to raise and repair the Bridge at the head of Cousins's Pond, on the road between New London and Darnley.

A Petition of divers Inhabitants of Townships Eighteen and Twenty, praying an aid to reduce two Hills, opposite Adams's Farm, on the road between Darnley and New London.

By Mr. Macintosh.—A Petition of John Smith, of St. Peter's Bay, an aged and infirm seaman, in indigent circumstances, praying relief.

A Petition of divers Inhabitants of Savage Harbour and its vicinity, praying for a grant towards the support of Christiana M'Eachern, a widow woman in indigent circumstances, burthened with the maintenance of an infirm daughter.

By Mr. W. Dingwell.—A Petition of Elizabeth Patience, of St. Peter's Bay, an aged and infirm person, in indigent circumstances, praying relief.

By Mr. Longworth.—A Petition of John Macnamara, a disabled Seaman, praying relief.

A Petition of Patrick B. Doyle, of Charlottetown, setting forth—That having past the Board of Education as a first class Teacher, he has for the last twelve months kept an elementary school in the said town—that under the Act for the encouragement of education he is allowed only twelve pounds per annum, which he considers an inadequate remuneration, particularly as the parents of his pupils are limited in their circumstances, belonging chiefly to the operative classes; and praying for such further allowance as the House may deem meet.

By Mr. Thomson.—A Petition of divers Inhabitants of Georgetown, praying for a grant, in aid of individual subscription, towards constructing a Ferry Slip on the South side of that harbour.

A Petition of Roger Dart Westaway, of Three Rivers, Ferryman, praying a grant for the object mentioned in the last preceding Petition.

Ordered, That the twenty-two preceding Petitions do lie on the Table.

A Petition of divers Shipowners and Masters of Vessels was (with the consent of His Excellency the Lieutenant Governor, that the House may proceed thereon as they shall think fit,) presented to the House, by Mr. Le Lacheur, and the same was received and read, setting forth—that it is highly expedient for the benefit of trade and the safety of shipping, that a Light House be erected on Point Prim, and praying the House to adopt such measures for accomplishing that object as to its wisdom may seem meet.

Ordered, That the said Petition be referred to the Special Committee appointed to enquire into the probable expense of establishing and maintaining Buoys and Beacons at the principal harbours of this Island, and into the

amount of funds (if any) now at the disposal of the Legislature for those purposes; and that they do examine into and report on this Petition.

A Petition of the Committee and Officers of the 'Independent Agricultural Society,' established at Township Forty-nine, was (with the consent of His Excellency the Lieutenant Governor, that the House may proceed thereon as they shall think fit,) presented to the House, by Mr. *Longworth*, and the same was received and read; setting forth---that the main objects for which the Society was founded, are to secure the regular importation from Scotland of Seeds, Implements, &c. of the best description at the cheapest rate; to promote the general interests of Agriculture, and to establish a correspondence with similar Societies in other countries, for mutual improvement—and praying a grant in furtherance of those objects.

A motion being made, that the said Petition do lie on the table.

Mr. *Clark* moved, in amendment, that all the words after 'That' be struck out, and the following substituted---'it is inexpedient to grant the prayer of the said Petition.'

The House divided on the motion of amendment:

YEAS:

| | |
|-------------------------|-----------------------|
| <i>Mr. Clark,</i> | <i>Mr. Macintosh,</i> |
| <i>Mr. J. Dingwell,</i> | <i>Mr. Forbes,</i> |
| <i>Mr. Dalziel,</i> | <i>Mr. Fraser,</i> |
| <i>Mr. W. Dingwell,</i> | <i>Mr. Thomson.</i> |
| <i>Mr. Rae,</i> | |

NAYS:

| | |
|-----------------------------|--------------------------|
| <i>Mr. Longworth,</i> | <i>Mr. Gorman,</i> |
| <i>Mr. Le Lacheur,</i> | <i>Mr. Macfarlane,</i> |
| <i>Mr. Palmer,</i> | <i>Mr. D. Macdonald,</i> |
| <i>Mr. J. S. Macdonald,</i> | <i>Mr. Montgomery.</i> |
| <i>Mr. Macneill,</i> | |

The Members being equal, it was decided in the affirmative by the casting vote of the Speaker.

The main motion, as amended, was then put and carried.

A Petition of Donald Macphee, Keeper of the Jail at Georgetown, was (with the consent of his Excellency the Lieutenant Governor, that the House may proceed thereon as they shall think fit,) presented to the House by

Mr. *Thomson*, and the same was received and read; setting forth---that for eighteen months after his appointment there was no pump in the Jail yard, so that he was compelled, at great personal labour, to fetch water from a considerable distance; that the key of the Jail yard is inadequate; that he has under his charge an Indian, in a state of insanity, who has made two attempts on Petitioner's life---and praying remuneration for past services, and for an addition to his present salary.

A motion being made, that the said Petition do lie on the table;

Mr. *Palmer* moved, in amendment, that all the words after 'That' be struck out, and the following substituted---'it is inexpedient to grant the prayer of the said Petition.'

The House divided on the motion of amendment.

YEAS:

| | |
|------------------------|-----------------------------|
| <i>Mr. Longworth,</i> | <i>Mr. Palmer,</i> |
| <i>Mr. Montgomery,</i> | <i>Mr. Clark.</i> |
| <i>Mr. Fraser,</i> | <i>Mr. D. Macdonald,</i> |
| <i>Mr. Macfarlane,</i> | <i>Mr. J. S. Macdonald,</i> |
| <i>Mr. Dalziel,</i> | <i>Mr. Macneill.</i> |
| <i>Mr. Gorman,</i> | |

NAYS:

| | |
|-------------------------|-------------------------|
| <i>Mr. Rae,</i> | <i>Mr. Arbuckle,</i> |
| <i>Mr. J. Dingwell,</i> | <i>Mr. Forbes,</i> |
| <i>Mr. Thomson,</i> | <i>Mr. W. Dingwell,</i> |
| <i>Mr. Macintosh,</i> | <i>Mr. Le Lacheur.</i> |

So it was carried in the affirmative.

The main motion, as amended, was then put and carried.

Then the House adjourned for one Hour,

And being met—

Resolved, That this House do now resolve itself into a Committee of the whole House, on the further consideration of the Bill for the relief of the American Loyal Emigrants and disbanded Troops in this Colony.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Le Lacheur took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. *Le Lacheur* reported, that he was directed by the Committee to report back the Bill to the House; and the Report was again read at the Clerk's Table.

Resolved, That the said Bill be referred to the Special Committee who prepared it, to report thereon, by amendments or otherwise.

The Bill for regulating the Fishery Reserves in this Island was read the second time.

Mr. *Rae* moved, that the said Bill be referred to the Special Committee who prepared it, to report thereon, by amendments or otherwise.

Mr. *Pope* moved, in amendment, that all the words after 'Bill' be struck out, and the following substituted 'be committed to a Committee of the whole House on Friday next.

The House divided on the question of amendment:

YEAS :

| | |
|---------------------|-----------------------------|
| Mr. <i>Pope</i> , | Mr. <i>Longworth</i> , |
| Mr. <i>Yeo</i> , | Mr. <i>Clark</i> , |
| Mr. <i>Palmer</i> , | Mr. <i>J.S. Macdonald</i> . |

NAYS :

| | |
|---------------------------|--------------------------|
| Mr. <i>La Lacheur</i> , | Mr. <i>Montgomery</i> , |
| Mr. <i>D. Macdonald</i> , | Mr. <i>Rae</i> , |
| Mr. <i>Macfarlane</i> , | Mr. <i>Fraser</i> , |
| Mr. <i>Thomson</i> , | Mr. <i>Macintosh</i> , |
| Mr. <i>Forbes</i> , | Mr. <i>Arbuckle</i> , |
| Mr. <i>Dalziel</i> , | Mr. <i>J. Dingwell</i> , |
| Mr. <i>W. Dingwell</i> , | Mr. <i>Macneil</i> . |
| Mr. <i>Gorman</i> , | |

So it passed in the negative.

The question being then put on the main motion, it was agreed to by the House.

Resolved, That a Message be sent to his Excellency the Lieutenant Governor, praying

that he will cause the usual Returns of Exports and Imports, Vessels launched and registered; Vessels which have left the Island under certificate; Vessels transferred to other Ports; number and tonnage of vessels engaged in Foreign Trade and in Fishing; Detailed Account of Imperial Duties collected at this Port, with the application thereof, during the past year, to be laid before the House.

Ordered, That Mr. *Longworth*, Mr. *Montgomery*, and Mr. *Clark*, be a Committee to wait upon His Excellency with the said Message.

Resolved, That a Conference be desired with the Legislative Council, on the subject of the Public Accounts.

Ordered, That Mr. *Arbuckle* do go to the Council, and desire the said Conference,

Ordered, That Mr. *Arbuckle*, Mr. *Longworth*, Mr. *Palmer* and Mr. *J. S. Macdonald*, be a Committee to manage the said Conference.

Ordered, That so much of His Excellency the Lieutenant Governor's Message of the 4th inst. as relates to the inefficiency, of the Pilot Regulations for the Port of Charlottetown, and transmitting the copy of a letter from the Right Honorable Lord Clarence Paget, commanding Her Majesty's Sloop *Pearl*, complaining thereof, and suggesting that a proper survey of the entrance of the harbour should be made, and Buoys and Beacons laid down, to mark out the channel, be referred to the Special Committee appointed to inquire into the probable expense of establishing and maintaining Buoys and Beacons, and into the amount of funds (if any) now at the disposal of the Legislature for those purposes.

Then the House adjourned until to-morrow at Eleven o'clock.

WEDNESDAY, February 20, 1839.

ELEVEN Petitions were (with the consent of his Excellency the Lieutenant Governor, that the House may proceed thereon as they shall think fit,) presented to the House, and the same were received and read, viz.

By Mr. Pope.—A Petition of divers Inhabitants of the Back Settlement, Cape Traverse, praying an aid to bridge a brook on the main road.

By Mr. D. Macdonald.---A Petition of Angus M'Kelroe, of Township Forty-five, praying an aid towards the support of an insane daughter.

By Mr. Le Lacheur.---A Petition of Charles Stockdale, of Charlottetown Royalty; setting forth—that Petitioner applied last year to the House of Assembly for compensation for the injury he had sustained in consequence of the new line of the Princetown Road having been run through his farm in the Royalty of Charlottetown, on which occasion the Committee to whom his Petition was referred, recommended that the sum of £25 should be paid to the Petitioner as a compensation. That notwithstanding such report, and the loss of ground occupied by the road, the House only allowed Petitioner the sum of Ten pounds for moving his stables, but refused him any further indemnification, and praying the House to revise the decision of the late House, and grant him compensation commensurate with the injury he has sustained.

A Petition of divers Inhabitants of a new settlement on Township Forty-nine, praying a grant for the purpose of purchasing a right of way through the land of Mrs. Prott.

A Petition of divers Inhabitants of Murray Harbour, White Sands, Guernsey Cove, and adjacent Settlements, praying an aid of One hundred pounds to erect a new Bridge over the South River of Murray Harbour.

A Petition of divers Inhabitants of Newtown, and its vicinity, praying an aid to open a road through the land of Alexander Fraser, to the bridge lately built over the mouth of Portree Creek, and to remunerate the said Alexander Fraser for the ground.

A Petition of Peter Crammer, of Charlottetown, an aged and infirm Teacher, praying relief.

A Petition of Margaret Finlayson, of Little Sands, an aged Widow, in indigent circumstances, without relatives or friends, who is burthened with the care of a stepson, a hopeless Lunatic, praying a grant towards his support.

A Petition of Christy Macphee, of Murray Harbour Road, an aged, bed ridden Woman, in destitute circumstances, praying relief.

By Mr. Clark.---A Petition of Malcolm Macleod, of Anderson's road, Lot Sixty-seven; setting forth—that on the seventh day of February inst. Petitioner's House accidentally caught Fire, and every article of apparel and

bedding therein was consumed, Petitioner at the same time being confined by a fractured leg, that Petitioner, his Wife and seven Children, are now in a very destitute condition, and praying an aid to relieve him in his present distress.

By Mr. Macintosh.---A Petition of Nancy M'Gillivray, of Hay River, Widow, praying an aid towards the support of a Son eighteen years of age, who has been insane and dumb from infancy.

Ordered, That the eleven preceding Petitions do lie on the Table.

A Petition of Hugh Macdonald, President of the Eastern Agricultural Society, was (with the consent of His Excellency the Lieutenant Governor, that the House may proceed thereon as they shall think fit,) presented to the House by Mr. Dalziel, and the same was received and read, praying an aid in furtherance of the objects for which the Society was founded.

A motion being made, that the said Petition do lie on the table.

Mr. Thomson moved, in amendment, that all the words after 'That' be struck out, and the following substituted---'it is inexpedient to grant the prayer of the said Petition.'

The House divided on the question of amendment.

YEAS :

Mr. Thomson,
Mr. Rae,

Mr. Fraser.

NAYS :

Mr. Clark,
Mr. Macintosh,
Mr. Palmer,
Mr. Gorman,
Mr. Pope,
Mr. Macfarlane,
Mr. Arbuckle,
Mr. J. Dingwell,
Mr. D. Macdonald,

Mr. Le Lacheur,
Mr. Longworth,
Mr. Montgomery,
Mr. W. Dingwell,
Mr. J.S. Macdonald,
Mr. Macneill,
Mr. Beck,
Mr. Dalziel.

So it passed in the negative.

The question being then put on the main motion, it was agreed to by the House.

A Petition of divers Inhabitants of Pinette, was presented to the House by Mr. *Le Lacheur*, and the same was received and read, praying the House to pass an Act for levying rates of Wharfage at the Wharf lately constructed at Eoin's Point, Pinette.

Ordered, That the said Petition do lie on the Table.

A Petition of John Masters, of Vernon River, was (with the consent of his Excellency the Lieutenant Governor, that the House may proceed thereon as they shall think fit,) presented to the House by Mr. *Le Lacheur*, and the same was received and read, praying an aid towards the support of a son in a state of idiocy.

A motion being made, that the said Petition do lie on the Table, it passed in the negative.

Ordered, That Mr. *Le Lacheur* have leave to withdraw the said Petition.

Then the House adjourned for one Hour.

And being met—

Fourteen Petitions were (with the consent of His Excellency the Lieutenant Governor, that the House may proceed thereon as they shall think fit,) presented to the House, and the same were received and read, viz.

By Mr. *J. S. Macdonald*.—A Petition of divers Inhabitants of Bannockburn Settlement, Township Thirty-one, praying an aid towards making a cart road from that Settlement to the Tryon Road.

A Petition of divers Inhabitants of Township Sixty-five, South of the Elliot River, praying an aid to raise three Bridges, on the road between Mackie's Creek and Macneill's Creek.

A Petition of divers Inhabitants of Tracadie, Millcove and Donaldston, praying an aid of Ten Pounds to repair Corran Ban Bridge, and the sum of Twelve Pounds to erect three small Bridges on the road leading from Corran Ban to the St. Peter's Road; and a further sum of Fifteen Pounds, to improve the road leading from the last mentioned road to Donaldston.

A Petition of divers Inhabitants of Township Sixty-five, to the South of Elliot River, praying an aid towards purchasing a right of way through Mr. Mackie's Farm, so as to en-

able the present settlement road, as laid out by the Surveyor General, to be continued to the shore at Mackie's Creek.

A Petition of divers Inhabitants of Township Thirty-one, residing near Dog River, praying an aid to improve the road from Elliot River to the Tryon Road, on the East side of Dog River.

A Petition of divers Inhabitants of Sandhills, Township Thirty-six and Point de Rouge, Township Thirty-seven, praying an aid of Thirty pounds to make a road from Sandhills to Point de Rouge, and Twelve pounds to erect two Bridges thereon; and a further sum of Ten pounds to repair two Bridges on the Sandhills road.

A Petition of Archibald Macniven, of Township Thirty, praying pecuniary aid towards the support of two of his sons, in a state of hopeless idiocy.

A Petition of Mary Macaulay, Widow of the late Dr. Angus Macanlay, of Point Prim, praying pecuniary aid towards the support of one of her sons, in a state of hopeless idiocy.

A Petition of Hector Macniven, of Township Thirty, praying pecuniary aid towards the support of his father, now eighty-eight years of age, who has been totally blind for the last fourteen years.

By Mr. *Hudson*.—A Petition of divers Inhabitants of Tryon, praying for a grant of Sixty pounds to aid individual subscription, in order to repair thoroughly the Aboiteau across Tryon River, on the line of road between Charlottetown and Cape Traverse, and for attaching flood gates to the sluice, for the benefit of the Marshes above the same.

By Mr. *Longworth*.—A Petition of James Jackson, now of Charlottetown, praying pecuniary aid towards enabling him to return to England, his native country.

By Mr. *Yeo*.—A Petition of divers Inhabitants of Township Fourteen, praying an aid to bridge Macdonald's Brook, on the road leading from the Catholic Chapel, on said Township, through Cross River Settlement, and thence to the main Western Road.

By Mr. *Rae*.—A Petition of divers Inhabitants of Cantire, Township Thirty-three, and its vicinity; setting forth---that there is a road required to connect the Winsloc and Rustico Roads, between Stedman's and Clair Gallant's, on the Rustico Road; that all parties through whose lands it may pass, are agreea-

ble thereto---and praying an aid towards making the same.

By Mr. *Palmer*.—A Petition of James B. Cooper & Co. of Charlottetown, Printers, praying to have the amount of Colonial Duty paid by them on the importation of a new Iron Printing Press upon an improved principle, and other printing materials, from the United States, in 1837, remitted.

Ordered, That the fourteen preceding Petitions do lie on the Table.

A Petition of divers Inhabitants of Township Sixty-seven and Crapaud, was (with the consent of His Excellency the Lieutenant Governor, that the House may proceed thereon as they shall think fit.) presented to the House by Mr. *J. S. Macdonald*, and the same was received and read, praying an aid to open a road between Crapaud and the Scotch Settlement on Township Sixty-seven,

A motion being made that the said Petition do lie on the Table;

Mr. *Pope* moved, in amendment, that all the words after 'That' be struck out, and the following substituted—'the House do come to a Resolution thereupon as followeth:

'RESOLVED, That the Petitioners be recommended to apply to the Lieutenant, Governor and Council, to cause the Road prayed for to be opened under the Road Compensation Act.'

The House divided on the question of amendment.

YEAS, 14,

NAYS, 8,

So it was carried in the affirmative.

The main motion, as amended, was then put and carried.

A Petition of divers Inhabitants of Townships Thirty-six, Thirty-seven, Thirty-eight and Thirty-nine, was (with the consent of his Excellency the Lieutenant Governor, that the House may proceed thereon as they shall think fit,) also presented to the House by Mr. *J. S. Macdonald*, and the same was received and read; setting forth---that Mount Stewart Bridge is in a most ruinous and dilapidated state, so that it is probable it will be carried off with the ice in the ensuing Spring; that the Road to the Northward of the Bridge, fifteen chains of which traverse a marsh, is continually settling, and is now so low that travellers are unable to pass it at high water; that the Road on the other side also requires

altering, in order to avoid a very steep hill---that these circumstances, together with the very great uncertainty of ever making the Bridge durable, convinces Petitioners, that were the House inclined to grant further aid, it would be best applied in building a new Bridge at Mount Stewart Ferry, where the river is narrow, the bottom hard, and good level roads could be formed on a firm soil to the margin of the river---that if built with Blocks, loaded with stone, the expense would be moderate, and would effectually resist the pressure of the ice---and praying the House to cause a plan and estimate to be procured, and to appropriate an adequate sum for carrying the proposed improvement into effect.

Resolved, That the said Petition be referred to a Committee of five Members, to examine the same, and report thereon---with power to send for persons, papers and records,

Ordered, That Mr. *J. S. Macdonald*, Mr. *Palmer*, Mr. *Dalziel*, Mr. *Le Lacheur* and Mr. *J. Dingwell* do compose the said Committee.

A Petition of William Smallwood, of Township Forty-eight, was (with the consent of His Excellency the Lieutenant Governor, that the House may proceed thereon as they shall think fit,) also presented to the House by Mr. *J. S. Macdonald*, and the same was received and read; setting forth---that Petitioner during the past year has invented, and with his own hands constructed a Horse Power Machine, applicable for the propelling of Machinery for various uses, but particularly adapted to propel a Threshing Machine, for which purpose it was more immediately designed---that having been applied by Petitioner to the latter purpose, it has been proved to answer the end designed, in a manner so as to exceed Petitioner's most sanguine expectation---that its principle and construction being more simple than any power hitherto imported into this Colony for a similar purpose, and being almost wholly composed of wood, the power in question can be made or procured by any Farmer at a comparatively trifling outlay, while possessing at the same time the great advantage of being more easily driven, and when out of order, of being repaired by himself---that he has hitherto refrained from applying for a Patent for the exclusive right of making and vending the same, solely from the consideration that it would tend to limit its

usefulness---relying upon the liberality of the House for affording him encouragement in another form---that the power constructed by Petitioner has been examined and tested by a number of competent persons, whose certificates as to its efficiency, together with a model of the Machine, are transmitted---and praying the House to grant Petitioner such a sum as in its wisdom it may deem him justly entitled to.

A motion being made, that the said Petition be referred to the Committee of Supply ;

Mr. *Rae* moved, in amendment, that all the words after 'Petition' be struck out, and the following substituted---'do lie on the Table.'

The House divided on the question of amendment :

YEAS, 12,
NAYS, 10,

So it was carried in the affirmative.

The main motion, as amended, was then put and carried.

A Petition of John Henry White of Charlottetown, Printer, was (with the consent of His Excellency the Lieutenant Governor, that the House may proceed thereon, as they shall think fit,) presented to the House, by Mr. *Longworth*, and the same was received and read; setting forth---that in the year 1833 Petitioner became the Contractor for printing and binding a revised edition of the Laws of the Island, and entered into articles of agreement with the Commissioners appointed under an Act of the Assembly for that purpose---that notwithstanding the extraordinary pains taken by the Petitioner to execute his Contract faithfully and unexceptionably, and that he succeeded in producing a work which has been pronounced by the most competent judges to be a highly creditable performance, in point of mechanical execution and accuracy, the Commissioners ventured to reject the work---that not contented with inflicting so great an injury on Petitioner, they commenced a prosecution against him for a pretended non-fulfilment of his Contract, which was tried before the Chief Justice, when the Jury returned a verdict for the defendant, and gave it as their opinion 'that Mr. White should be paid for the Work.'---That the aforesaid Commissioners acting in a public capacity are not amenable in a civil action for the violation of their part

of the Contract entered into with Petitioner; that Petitioner therefore entreats the House to do him justice in the matter.---That upwards of £300 remains due to Petitioner since 1834; that an offer was made to him of £125 by the late House of Assembly, provided he would accept it in full, but this Petitioner will never do---That Petitioner therefore humbly prays, that the House will be pleased to accept the aforesaid Work, now in his possession, and grant him the amount to which he is entitled.

Resolved, That the said Petition be referred to a Committee of five Members, to examine the same, and report thereon---with power to send for persons, papers and records.

Ordered, That Mr. *Longworth*, Mr. *Palmer*, Mr. *Arbuckle*, Mr. *J. S. Macdonald* and Mr. *Pope*, do compose the said Committee.

A Memorial of the Committee and Officers entrusted with the management of the affairs of the 'Western Agricultural Society,' to the Lieutenant Governor, and by His Excellency recommended to the consideration of the House, was presented to the House by Mr. *Yeo*, and the same was received and read, praying His Excellency to recommend to the House to grant them a sum in furtherance of the objects for which the Society was founded.

Ordered, That the said Memorial do lie on the Table.

A Petition of James Lockerby, of Charlottetown, Schoolmaster, was (with the consent of His Excellency the Lieutenant Governor, that the House may proceed thereon as they shall think fit,) presented to the House by Mr. *Rae*, and the same was received and read; setting forth---that Petitioner came to this country in the year 1820, through a very highly coloured representation of the late Attorney General, William Johnston, Esq. That having been disappointed in his expectations, he removed to Nova Scotia in 1825, and in April 1838 was again induced to return to Charlottetown by invitation of several gentlemen; but owing to the number of Schools in Town, he does not meet sufficient support---and praying the House to grant a sum towards his support.

A motion being made, that the said Petition do lie on the Table,

It was moved, by way of amendment, that Mr. *Rae* have leave to withdraw the said Pe-

tion, which being seconded and put, passed in the affirmative.

A Petition of James Gillanders, of Townships Twenty, was (with the consent of His Excellency the Lieutenant Governor, that the House may proceed thereon as they shall think fit) also presented to the House by Mr. *Rae*, and the same was received and read—setting forth: that he was for many years a Teacher in the Princetown Grammar School and other Schools in this Island, but has of late years laboured under severe mental and bodily affliction—and praying pecuniary aid to relieve him in his present distressed condition.

A motion being made, that the said Petition do lie on the Table, it passed in the negative.

Ordered, That Mr. *Rae* have leave to withdraw the said Petition.

A Petition of Angus Macdonald, of Brudenell Point, was (with the consent of His Excellency the Lieutenant Governor, that the House may proceed thereon, as they shall think fit,) presented to the House, by Mr. *Pope*, and the same was received and read; praying to be reimbursed the amount of a bond which he was compelled to enter into in 1837, for impost duty exacted on rigging and other materials for a new vessel, which articles were imported after the vessel was launched, and were transhipped on board the said new vessel where she then rode at anchor, without ever having been landed on the Island, and were not articles of merchandize on which any profit could have been realized by the Petitioner.

Resolved, That the said Petition be referred to a Committee of five Members, to examine the same, and report thereon—with power to send for persons, papers and records.

Ordered, That Mr. *Pope*, Mr. *Clark*, Mr. *Palmer*, Mr. *Thomson* and Mr. *Longworth* do compose the said Committee.

A Petition of the Secretaries of the 'Prince Edward Island Auxiliary Bible Society,' was (with the consent of his Excellency the Lieutenant Governor, that the House may proceed thereon as they shall think fit,) presented to the House by Mr. *Palmer* and the same was received and read; setting forth—that in furtherance of the designs of said Society, several importations of the Scriptures have been made, amounting to the sum of £91 6s 1d, Currency, upon which an ad-va-

rem duty was paid, amounting to £4 11s 3d—and praying that the duty so paid may be remitted, and that future importations of the Scriptures may be exempted from Colonial Duties.

Ordered, That the said Petition be referred to the Committee of Supply.

A Petition of divers Inhabitants of Townships Thirteen, Fourteen, Sixteen and Seventeen, was (with the consent of His Excellency the Lieutenant Governor, that the House may proceed thereon as they shall think fit,) presented to the House by Mr. *Yeo*, and the same was received and read, praying an aid for providing a good and sufficient Boat for the conveyance of Horses, Waggon and other vehicles, across Ellis River Ferry.

Resolved, That the said Petition be referred to a Committee of five Members, to examine the same, and report thereon—with power to send for persons, papers and records.

Ordered, That Mr. *Yeo*, Mr. *Pope*, Mr. *Fraser*, Mr. *Macneill* and Mr. *Gorman* do compose the said Committee.

Mr. *Longworth*, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Message of yesterday, praying that he would cause the usual Custom House Returns to be laid before the House, reported, that the Committee had performed the duty assigned them, and that His Excellency was pleased to say, he would cause the Returns moved for to be laid before the House.

A Petition of Hugh Macdonald, Esquire, Sub-Collector of Customs for the District of Three Rivers, was (with the consent of His Excellency the Lieutenant Governor, that the House may proceed thereon as they shall think fit,) presented to the House by Mr. *Thomson*, and the same was received and read; setting forth---that the Port of Georgetown has been lately constituted a Free Port, which will add considerably to the duties and responsibilities of Petitioner's office, and praying for an adequate increase of his salary.

Mr. *Thomson* moved that the said Petition be referred to a Special Committee, to examine the same, and report thereon.

The House divided on the question:

YEAS, 9,

NAYS, 11,

So it passed in the negative.

Ordered, That Mr. Thomson have leave to withdraw the said Petition.

Then the House adjourned until to-morrow at Eleven o'clock.

THURSDAY, February 21, 1839.

THE Amendment made by the Council to the Bill, intituled '*An Act to further continue for a limited period, an Act passed in the Fifty-ninth year of the Reign of His late Majesty King George the Third, intituled 'An Act for regulating Juries, and further declaring the qualifications of Jurors,'*' was, according to order read a second time.

Ordered, That the said amendment be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Montgomery took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Montgomery reported, that the Committee had come to a Resolution; which Resolution was again read at the Clerk's Table, and is as followeth:

Resolved, That it is the opinion of this Committee, that the House do concur with the Council in their amendment to the said Bill.

The question of concurrence being put on the said Resolution, it was carried in the affirmative; and the said amendment was ordered to be read a third time on Saturday next.

A Message from the Council by Mr. Desbrisay,

Mr. Speaker,

The Legislative Council do agree to a Conference, as is desired by the House of Assembly, on the subject of the Public Accounts, and have appointed the Honorables Mr. Brecken and Mr. Goodman a Committee to manage the same—to meet in the Committee Room instant,

And then he withdrew.

Whereupon the Managers went to the Conference,

And being returned,

Mr. Arbuckle reported, that the Managers had been at the Conference; and he stated the substance thereof to the House.

A Message from the Council, by Mr. Desbrisay

Mr. Speaker,

The Legislative Council have passed the Bill intituled *An Act for the protection of Sheep against vicious Dogs*, with several amendments, to which they desire the concurrence of the Assembly,

And then he withdrew.

The Amendments made by the Council to the Bill intituled *An Act for the protection of Sheep against vicious Dogs*, were read the first time, and are as follow:

Folio 1, line 6—After the word 'Sheep' insert 'Lamb.'

Line 10—After the word 'and,' insert 'in case such
'sheep, lamb or lambs, shall be killed
'by such dog, then the owner thereof.'

Line 12—After the word 'lambs,' insert 'so killed.'

Folio 2, line 11—After the word 'killed,' strike out the word 'a' and insert, 'or injured any.'

Line 12—After the word 'sheep,' insert 'lamb.'

Folio 3, line 7—After the word 'Witness,' strike out to the word 'Island,' inclusive.

Line 11—After the word 'prowling' strike out 'or
'strolling,' and insert 'within any Town-
'ship or Royalty in this Island.'

Last line—Strike out the words 'or strolling.'

Folio 4, line 17—Strike out the words 'or strolling.'

Ordered, That the said Bill be read a second time to-morrow.

A Message from the Council, by Mr. Desbrisay:

Mr. Speaker,

The Legislative Council have passed the Bill intituled *An Act for granting a Bounty on Vessels engaged in the Fisheries of this Island*.

And then he withdrew.

Mr. Arbuckle reported from the Committee appointed to examine and report on the Public Accounts; and he read the Report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.

Ordered, That the said Report be referred to a Committee of the whole House on Monday next.

Resolved, That this House will, to-morrow, proceed to take into consideration the several Private Petitions before the House.

Then the House adjourned until to-morrow at Eleven o'clock.

FRIDAY, February 22, 1839.

THE Order of the day, for considering Private Petitions, being read ;

The House proceeded accordingly to the consideration of private Petitions.

The several Petitions from and on behalf of persons labouring under bodily and mental infirmities, were read : and thereupon,

Resolved, That the said Petitions be referred to a Committee of twelve Members, to examine the same, and report thereon---with power to send for persons, papers and records.

Ordered, That Mr. Palmer, Mr. Clark, Mr. Thomson, Mr. Dalziel, Mr. Macintosh, Mr. J. S. Macdonald, Mr. Macneill, Mr. Pope, Mr. Gorman, Mr. W. Dingwell, Mr. Le Lacheur, and Mr. Rae do compose the said Committee.

The several Petitions from King's County, praying aid for Roads and Bridges, were read : and thereupon,

Resolved, That the said Petitions be referred to the Members, from the different parts of King's County, for consideration in the division of the road money for said County.

The several Petitions from Queen's County, praying aid for Roads and Bridges, were read : and thereupon,

Resolved, That the said Petitions be referred to the Members from the different parts of Queen's County, for consideration in the division of the road money for said County.

The several Petitions from Prince County, praying aid for Roads and Bridges, were read : and thereupon,

Resolved, That the said Petitions be referred to the Members from the different parts of Prince County, for consideration in the division of the road money for said County,

The Petition of the School Trustees and other Inhabitants of Georgetown, was read : and thereupon,

Resolved, That it is inexpedient to appropriate any part of the public Revenue of this Island for the erection of a School House at Georgetown ; but that it be referred to a Special Committee to enquire, whether there be in the Colonial Treasury any money arising from any unclaimed proceeds of Lots in Georgetown, sold under the Act 6 Will. 4, cap. 2, for providing against accidents by fire, and for the improvement of [property at Georgetown.

Ordered, That Mr. Thomson, Mr. Palmer and Mr. J. Dingwell do compose the said Committee.

The Petition of divers Inhabitants of this Island, praying for an extension of the Jail Limits to confined debtors, in the different Counties, was read ; and thereupon,

Resolved, That owing to the advanced period of the Session, it is inexpedient to enter upon the subject matter of the Petition at this time ; and that the consideration thereof do stand over until next Session.

The Petition of divers Inhabitants of Townships Thirty-five, Thirty-six, and Thirty-seven, for aid in the construction of a Slip on the South side of the Hillsborough, at M'Connell's Ferry, was read ; and thereupon,

Mr. J. S. Macdonald moved, that the said Petition be referred to the Committee of supply.

Mr. Pope moved as an amendment to the question, that it is inexpedient to grant the prayer of the Petition ; which being seconded and put, was carried in the affirmative.

The Petition of divers Inhabitants of Murray Harbour, White Sands, Wood Islands, and adjacent Settlements, praying that the Mail to the South side of Murray Harbour may be forwarded by way of Belfast and Flat River, was read ; and thereupon,

Resolved, That the said Petition be referred to a Committee of five Members, to examine the same, and report thereon; with power to send for persons, papers and records,

Ordered, That Mr. *Le Lacheur*, Mr. *Dalziel*, Mr. *Arbuckle*, Mr. *Clark*, and Mr. *Rae*, do compose the said Committee.

The Petition of divers Inhabitants of Indian River, Oyster Cove, and Shipyard, for the establishment of a Post Office at Oyster Cove Cross Roads, was read; and thereupon,

Ordered, That the said Petition be referred to the last mentioned Committee, who are to examine also and report upon this Petition.

The Petition of Lauchlan Macleod, of Princetown Road, was read; and thereupon,

Resolved, That the said Petition be referred to the Committee of Supply.

The Petition of divers Inhabitants of the Northern Section of Township Twenty, as to their inability to employ a Schoolmaster, in conformity with the provisions of the present School Act, was read; and thereupon,

Resolved, That a Committee of six Members be appointed, to inquire into the expediency of altering and amending the Act for the encouragement and support of District and other Schools—with power to send for persons, papers and records.

Ordered, That Mr. *Rae*, Mr. *Arbuckle*, Mr. *Thomson*, Mr. *Macfarlane*, Mr. *Clark* and Mr. *Hudson* do compose the said Committee

Ordered, That the above Petition be referred to the said Committee, to report thereon,

The Petition of divers Inhabitants of Princetown and Princetown Royalty, praying for Legislative aid for a School within the said Royalty, was read: and thereupon,

Ordered, That the said Petition be referred to the last mentioned Committee, and that they do examine also and report on this Petition.

The Petition of the Committee and Officers entrusted with the management of the affairs of the 'Charlottetown Mechanic's Institute,' was read; and thereupon,

Resolved, That the said Petition be referred to the Committee of Supply.

The Petition of divers Inhabitants of Vernon River, Orwell, &c. for aid in the construction of a Wharf at Millford Shipyard, was read: and thereupon,

Resolved, That the said Petition be referred to the Committee of Supply.

The Petition of Patrick B. Doyle, of Charlottetown, Teacher, was read; and thereupon,

Ordered, That the said Petition be referred to the Committee appointed to inquire into the expediency of altering and amending the Act for the encouragement of District and other Schools; and that they do examine also and report on this Petition.

The Petition of divers Inhabitants of Georgetown, praying for aid in the erection of a Ferry Slip on the South side of that harbour, was read; and thereupon,

Mr. *Thomson* moved, that the said Petition be referred to the Committee of Supply.

Mr. *Pope* moved, as an amendment to the question, that the Petition be withdrawn by Mr. *Thomson*.

The House divided on the question of amendment:

YEAS:

| | |
|------------------------|---------------------------|
| Mr. <i>Clark</i> , | Mr. <i>Macintosh</i> , |
| Mr. <i>Longworth</i> , | Mr. <i>Gorman</i> , |
| Mr. <i>Macneill</i> , | Mr. <i>D. Macdonald</i> , |
| Mr. <i>Palmer</i> , | Mr. <i>Fraser</i> , |
| Mr. <i>Rae</i> , | Mr. <i>Montgomery</i> , |
| Mr. <i>Pope</i> , | Mr. <i>Hudson</i> . |

NAYS:

| | |
|--------------------------|-------------------------|
| Mr. <i>J. Dingwell</i> , | Mr. <i>Forbes</i> , |
| Mr. <i>Le Lacheur</i> , | Mr. <i>Macfarlane</i> , |
| Mr. <i>Dalziel</i> , | Mr. <i>Arbuckle</i> , |
| Mr. <i>W. Dingwell</i> , | Mr. <i>Thomson</i> . |

So it was carried in the affirmative.

The Petition of Roger Dart Westaway, of Three Rivers, Ferryman, on the same subject as the last mentioned petition, was read: and thereupon,

Ordered, That Mr. *Thomson*, have leave to withdraw the said Petition.

The Petition of the President of the 'Eastern Agricultural Society,' was read; and thereupon,

Resolved, That the said Petition be referred to the Committee of Supply.

The Petition of the Committee and Officers of the 'Western Agricultural Society' was read; and thereupon,

Mr. *Rae* moved that the said Petition be referred to the Committee of Supply.

Mr. *Le Lacheur* moved, as an amendment to the question, that the Petition be withdrawn by Mr. *Yeo*.

The House divided on the question of amendment:

YEAS, 11,

NAYS, 9,

So it was carried in the affirmative.

The Petition of Charles Stockdale, of Charlottetown Royalty was read; and thereupon,

Mr. *Le Lacheur* moved that the said Petition be referred to the Committee of Supply.

Mr. *Clark* moved, as an amendment to the question, that it is inexpedient to grant the prayer of the Petition.

The House divided on the question of amendment:

YEAS, 12,

NAYS, 8.

So it was carried in the affirmative.

The Petition of divers Inhabitants of Pinette, praying for an Act to authorise the levying of rates of wharfage, at Pinette Wharf, was read; and thereupon,

Ordered, That Mr. *Le Lacheur* have leave to withdraw the said Petition.

The Petition of William Smallwood of Township Forty-eight, was read; and thereupon,

Mr. *Longworth* moved, that the said Petition be referred to the Committee of Supply.

The House divided on the question:

YEAS, 14,

NAYS, 6,

So it was carried in the affirmative.

The Petition of James B. Cooper, & Co. of Charlottetown, Printers, was read; and thereupon,

Resolved, That the said Petition be referred to the Committee of Supply.

Then the House adjourned until to-morrow at Eleven o'clock.

SATURDAY, February 23, 1839.

THE Amendment made by the Council to the Bill, intituled '*An Act to further continue for a limited period, an Act passed in the Fifty-ninth year of the Reign of His late Majesty King George the Third, intituled 'An Act for regulating Juries, and further declaring the qualifications of Jurors,'*' was, according to order read for the third time.

Resolved, That the said amendment do pass.

Ordered, That Mr. *Arbuckle* do carry back the Bill to the Council, and acquaint them that this House hath agreed to their amendment.

The amendments made by the Council to the Bill intituled '*An Act for the protection of Sheep against vicious Dogs*,' were, according to order, read a second time.

Ordered, That the said amendments be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Palmer took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. *Palmer*, reported, that the Committee had come to a Resolution; which Resolution was again read at the Clerk's Table, and is as followeth:

RESOLVED, That it is the opinion of this Committee, that the House do concur with the Council in their amendments to the said Bill.

The question of concurrence being put on the said Resolution, it was carried in the affirmative, and the said amendments were ordered for a third reading on Monday next.

Resolved, That this House will, on Tuesday next, resolve itself into a Committee of the

whole House, to take into consideration the several Messages and Documents communicated to the House by His Excellency the Lieutenant Governor during the present Session, not previously referred.

Mr *Clark*, from the Committee appointed to inquire into the Grievances which have agitated this Colony for some time past, with a view to provide a remedy, with leave to report from time to time, by Bill or otherwise, reported the draught of an Address to His Excellency the Lieutenant Governor, on the inexpediency, in the present circumstances of this Colony, of making any change in the construction of Her Majesty's Council, unless upon the Elective principle; and he read the Report in his place, and delivered it in at the Clerk's Table, where it was again read.

Mr. *Clark* then moved, that the said draught Address be referred to a Committee of the whole House on Monday next.

Mr. *Pope* moved, in amendment, that all the words after 'Address' be struck out, and the following substituted—'be not received, the subject thereof not coming within the province of the Special Committee.'

The House divided on the question of amendment.

YEAS:

Mr. *Pope*,

Mr. *Hudson*,

Mr. *Longworth*,
Mr. *Montgomery*,

Mr. *Palmer*.

NAYS:

Mr. *Clark*.

Mr. *Macintosh*.

Mr. *Gorman*,

Mr. *Macfarlane*,

Mr. *D. Macdonald*,

Mr. *Arbuckle*,

Mr. *Forbes*,

Mr. *Dalziel*,

Mr. *W. Dingwell*,

Mr. *Rae*,

Mr. *Thomson*,

Mr. *Macneill*.

Mr. *Fraser*,

So it passed in the negative.

Mr. *Pope* again moved, in amendment to the main motion, that the word 'Monday' be struck out, and 'Tuesday' substituted.

The House divided on the motion of amendment:

YEAS, 5,

NAYS, 13,

And the names being called for, they were taken down, as in the last preceding division.

So it passed in the negative.

The question being then put on the main motion, it was agreed to by the House.

Then the House adjourned until Monday next, at Twelve o'clock.

MONDAY, February 25, 1839.

THE Order of the day, for the House in Committee on the Report of the Special Committee appointed to examine and report on the Public Accounts, being read;

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. J. S. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again to-morrow.

Then the House adjourned for one Hour.

And being met—

Two Messages from His Excellency the Lieutenant Governor.

Mr. Secretary Collins, by command of His Excellency, delivered the following Messages;

[FIRST MESSAGE.]

CHARLES A. FITZ ROY, Lieut. Governor.

The Lieutenant Governor lays before the House of Assembly the copy of an Order of Her Majesty in Council, dated the 12th December last, leaving to its operation an Act passed by the Legislature of this Island, in March, 1838, "for the regulation of the Wharf at Georgetown; and another Order of Her Majesty in Council of the same date, specially confirming, ratifying,

and finally enacting, an Act passed by the Legislature in April, 1837, for levying an assessment on all Lands in this Island.

Government House, 25th February, 1839.

AT THE COURT AT WINDSOR, THE 12th DECEMBER, 1838.

PRESENT :

The QUEEN'S MOST EXCELLENT MAJESTY ;

| | |
|----------------------------|------------------------------|
| <i>Lord Chancellor,</i> | <i>Viscount Howick,</i> |
| <i>Earl of Albemarle,</i> | <i>Lord Glenelg,</i> |
| <i>Earl of Minto,</i> | <i>Mr. Poulett Thompson.</i> |
| <i>Viscount Melbourne,</i> | |

WHEREAS the Governor of Her Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did, in the month of April, 1837, pass an Act, which has been transmitted, entitled as follows, viz :

No. 451.—*'An Act for levying an Assessment on all Lands in this Island;'*

And whereas the said Act has been referred to the Committee of the Lords of Her Majesty's most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations ; and the said Committee have reported as their opinion to Her Majesty, that the said Act should receive Her Majesty's special confirmation : Her Majesty was thereupon this day pleased, by and with the advice of Her Privy Council, to declare her special confirmation of the said Act, and the same is hereby specially confirmed, ratified, and finally enacted accordingly. Whereof the Governor, Lieutenant Governor, or Commander in Chief for the time being, of Her Majesty's Island of Prince Edward, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

C. GREVILLE.

AT THE COURT AT WINDSOR, THE 12th DECEMBER, 1838.

Present :

The QUEEN'S MOST EXCELLENT MAJESTY.

| | |
|----------------------------|------------------------------|
| <i>Lord Chancellor,</i> | <i>Viscount Howick,</i> |
| <i>Earl of Albemarle,</i> | <i>Lord Glenelg,</i> |
| <i>Earl of Minto,</i> | <i>Mr. Poulett Thompson.</i> |
| <i>Viscount Melbourne,</i> | |

WHEREAS the Governor of Her Majesty's Island of Prince Edward, with the Council and Assembly of the

said Island, did, in the month of March, 1838, pass an Act, which has been transmitted, entitled as follows, viz :

No. 490.—*An Act for the regulation of the Public Wharf in Georgetown.*

And whereas the said Act has been referred to the Committee of the Lords of Her Majesty's most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations ; and the said Committee have reported as their opinion to Her Majesty, that the said Act should be left to its operation : Her Majesty was thereupon this day pleased, by and with the advice of Her Privy Council, to approve the said Report : Whereof the Governor, Lieutenant Governor, or Commander in Chief for the time being, of Her Majesty's Island of Prince Edward, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

C. GREVILLE.

[SECOND MESSAGE.]

CHARLES A FITZ ROY, Lieut. Governor.

The Lieutenant Governor lays before the House of Assembly, for their information and guidance, the copy of a Despatch from the Right Honorable Lord Glenelg, acquainting him, that there will be transmitted annually to this Island, four copies of the Acts passed, from time to time, by the Imperial Legislature, to be distributed as is directed in said Despatch.

Government House, 25th February, 1839.

(CIRCULAR.)

Downing Street, 25th Dec. 1838.

Sir ;

Her Majesty's Government having had under their consideration the inconvenience which may arise in the Colonial possessions of the Crown, from an imperfect acquaintance in the Legislative Bodies and Courts of Justice with the Acts passed from time to time by the Imperial Legislature, have made arrangements for supplying annually to each of the British Colonies, so many copies of these Acts as may be required for the respective Legislatures and Courts of Justice.

There will accordingly be annually transmitted to the Colony under your government, four copies, to be distributed as follows :

1 For the use of the Executive Council, to be deposited with the Colonial Secretary.

1 For the Legislative Council.

1 For the House of Assembly.

1 For the Supreme Court of Justice.

You will make such arrangements as shall appear to you necessary, in concert with the Legislative Bodies and the Judges of the Courts of Justice, for the safe cus-

tody and preservation of these copies of Acts of Parliament.

I have, &c.
(Signed) GLENELG.
Lieut. Governor, SIR C. A. FITZ ROY.

The Order of the day, for the House in Committee on the consideration of the draught Address to His Excellency the Lieutenant Governor, on the inexpediency of any change being at present made in the construction of Her Majesty's Council, reported from the Committee appointed to inquire into the grievances which have agitated this Colony for some time past, with a view to provide a remedy, being read;

Mr. *Rae* moved, that the House do accordingly resolve itself into the said Committee.

Mr. *Pope* moved, in amendment, that all be expunged, and the following substituted—
'Whereas any attempt to postpone the reconstruction of the Council of this Colony, on the principles already sanctioned and approved of by Her Majesty's Government, with the view of making those Bodies elective, is only calculated to delude the people on a question which Her Majesty's Ministers, as well as the British Parliament, have already declared can never be acceded to, as being repugnant to Monarchical Institutions:

'And whereas the fatal consequences of such an unconstitutional scheme being persisted in by the disaffected inhabitants of Lower Canada, who have thereby stained their country with blood, and crimes the most repugnant to every humane and loyal feeling, should be a warning to this House against pursuing a measure of such an impolitic and dangerous character, without the slightest probability of being enabled to succeed in its wishes:

'Resolved, therefore, that the Order of the Day be discharged.'

The House divided on the question of amendment:

YEAS:

| | |
|------------------------------|------------------------|
| Mr. <i>Pope</i> , | Mr. <i>Palmer</i> , |
| Mr. <i>J. S. Macdonald</i> , | Mr. <i>Longworth</i> . |
| Mr. <i>Hudson</i> , | |

NAYS:

| | |
|--------------------------|------------------------|
| Mr. <i>Thomson</i> , | Mr. <i>Macintosh</i> , |
| Mr. <i>Clark</i> , | Mr. <i>Rae</i> , |
| Mr. <i>J. Dingwell</i> , | Mr. <i>Fraser</i> , |

| | |
|---------------------------|--------------------------|
| Mr. <i>Maeneill</i> , | Mr. <i>Le Lacheur</i> , |
| Mr. <i>Macfarlane</i> , | Mr. <i>Beck</i> , |
| Mr. <i>Dalziel</i> , | Mr. <i>W. Dingwell</i> , |
| Mr. <i>Montgomery</i> , | Mr. <i>Arbuckle</i> , |
| Mr. <i>Gorman</i> , | Mr. <i>Forbes</i> . |
| Mr. <i>D. Macdonald</i> , | |

So it passed in the negative.

The question being then put on the main motion, it was agreed to by the House.

And then the House resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. *Palmer* took the Chair of the Committee.

Mr. Speaker resumed the Chair,

Mr. *Palmer* reported, that the Committee had gone through the draught Address reported from the Special Committee, paragraph by paragraph, had made several amendments thereto, and then agreed to the same—and the said Address being again read at the Clerk's Table, was agreed to by the House, and is as followeth:

To His Excellency SIR CHARLES AUGUSTUS FITZ ROY, K. H. Lieutenant Governor and Commander in Chief in and over Her Majesty's Island Prince Edward, and its Dependencies, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

May it please your Excellency:

The House of Assembly having had under their consideration the Address of the late House of Assembly, praying for a change in the construction of the Council of this Colony, deem it their duty most respectfully to submit; that the contemplated alteration would be unsuitable to this Island under its present circumstances.

The House of Assembly are of opinion that no change would at present be acceptable or beneficial—especially one which would subject the Colony to additional expense for a Legislature, which, by the late Election Law, is rendered already too heavy for its means.

Should the House of Assembly look to other Colonies, they find, in the expression of public opinion therein, as to Councils established on the principle advanced by the last House, a strong corroboration of the opinion now submitted to your Excellency.

May it therefore please your Excellency to defer making any change in the construction of Her Majesty's Council, until the House shall have time to transmit to Her Majesty's Ministers the representations of this House relative to the proposed measure.

Mr. Speaker having put the question,
'Is it the pleasure of the House that the
Report of the Committee be agreed to?'

The House divided :

YEAS, 17,

NAYS, 5.

So it was carried in the affirmative.

Ordered, That the said Address be engrossed.

Mr. Clark moved, that the said Address be presented to His Excellency the Lieutenant Governor by the whole House.

Mr. Pope moved, in amendment, that all the words after 'That' be struck out, and the following substituted—'the Committee who prepared the Address be a Committee to wait upon His Excellency with the same.'

The House divided on the motion of amendment :

YEAS :

| | |
|----------------------|-----------------|
| Mr. Palmer, | Mr. Macneill, |
| Mr. Thomson, | Mr. Dalziel, |
| Mr. J. S. Macdonald, | Mr. Hudson, |
| Mr. Pope, | Mr. Montgomery. |
| Mr. Longworth, | |

NAYS :

| | |
|-----------------|-------------------|
| Mr. Clark, | Mr. J. Dingwell, |
| Mr. Arbuckle, | Mr. Gorman, |
| Mr. Macfarlane, | Mr. La Lacheur, |
| Mr. Macintosh, | Mr. Beck, |
| Mr. Fraser, | Mr. D. Macdonald, |
| Mr. Rae, | Mr. W. Dingwell. |
| Mr. Forbes, | |

So it passed in the negative.

The question being then put on the main motion, it was agreed to by the House.

Ordered, That Mr. Clark, Mr. Montgomery and Mr. Rae be a Committee to wait on His Excellency, to know his pleasure when he will be attended by the House with their Address.

The amendments made by the Council to the Bill intituled *An Act for the protection of Sheep against vicious Dogs*, were according to order, read for the third time.

Resolved, That the said amendments do pass.

Ordered, That Mr. Arbuckle do carry back the Bill to the Council, and acquaint them that this House hath agreed to their amendments.

Then the House adjourned until to-morrow at Eleven o'clock.

TUESDAY, February 26, 1839.

THE Order of the Day for the House in Committee to take into consideration the several Messages and Documents communicated to the House by His Excellency the Lieutenant Governor, this Session, not previously referred, being read ;

Ordered, That the said Order of the Day be postponed until to-morrow.

The Order of the Day, for the House in Committee on the further consideration of the Report of the Special Committee appointed to examine and report on the Public Accounts, being read ;

The House accordingly resolved itself into the said Committee,

Mr. Speaker left the Chair

Mr. J. S. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair

Mr. J. S. Macdonald reported, that the Committee had gone through the Report of the Special Committee referred to them, had made

amendments thereto, and then adopted the same ; and he read the Report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read, and on the question put thereon, was agreed to by the House, and is as followeth :

EXPENDITURE FOR THE YEAR ENDING JANUARY 21st, 1839.

ROADS AND BRIDGES.

| | | | | | | | |
|--|-----|------|----|---|-------|----|---|
| Paid by the Correspondent of Road Commissioners, | - | - | - | - | L1765 | 14 | 6 |
| Repairing Ellis River Bridge, voted in 1837 | 20 | 0 | 0 | | | | |
| Road leading from Haslam's to Scotch Settlement, and repairing Anderson's Road, being part of L150 voted for that purpose, | 121 | 9 | 0 | | | | |
| Road leading from Cardigan to Mount Stewart Bridge, being part of L140 voted | - | 85 | 17 | 6 | | | |
| Hermitage Creek Bridge | - | 50 | 0 | 0 | | | |
| Correspondent of Road Commissioners' Salary | - | 30 | 0 | 0 | | | |
| Road Commissioners' Salaries | - | 150 | 0 | 0 | | | |
| | | 2223 | 1 | 0 | | | |

EXECUTIVE COUNCIL.

| | | | | | | |
|---|---|---|---|-----|----|---|
| Clerk's quarterly accounts, including L3 for Stationary | - | - | - | 180 | 11 | 4 |
| Messenger's Salary | - | - | - | 40 | 0 | 0 |
| | | | | 220 | 11 | 4 |

LEGISLATIVE COUNCIL.

| | | | | | | |
|--|---|---|---|-----|----|---|
| Clerk and Stationary | - | - | - | 140 | 1 | 4 |
| Chaplain | - | - | - | 20 | 0 | 0 |
| Usher of the Black Rod | - | - | - | 34 | 10 | 0 |
| Printing Journals, 1837 | - | - | - | 48 | 8 | 0 |
| Do do. 1838 | - | - | - | 45 | 5 | 0 |
| Preparing Index to Journals, 1837 and 1838 | - | - | - | 15 | 0 | 0 |
| Messenger | - | - | - | 28 | 15 | 9 |
| Doorkeeper | - | - | - | 23 | 1 | 6 |
| | | | | 355 | 1 | 7 |

HOUSE OF ASSEMBLY.

| | | | | | | |
|--------------------------------------|---|---|---|------|----|---|
| Members—including L8 6s. 8. for 1837 | - | - | - | 497 | 3 | 4 |
| Clerk and Stationary | - | - | - | 202 | 12 | 7 |
| Chaplain | - | - | - | 20 | 0 | 0 |
| Sergeant at Arms | - | - | - | 51 | 1 | 0 |
| Do. sundries supplied | - | - | - | 29 | 11 | 0 |
| Messenger | - | - | - | 25 | 17 | 6 |
| Doorkeeper | - | - | - | 23 | 14 | 0 |
| Printing | - | - | - | 153 | 0 | 3 |
| Books for Library | - | - | - | 60 | 0 | 0 |
| | | | | 1062 | 19 | 8 |

CROWN PROSECUTIONS.

| | | | | | | |
|--|---|---|---|----|----|----|
| Attorney General's Fees | - | - | - | 71 | 1 | 9½ |
| Solicitor General's do. | - | - | - | 4 | 13 | 4 |
| Clerk of the Crown's do. | - | - | - | 69 | 7 | 7 |
| Deputy Clerk of the Crown's Fees for Prince County | - | - | - | 26 | 3 | 1 |
| Do. do. King's County | - | - | - | 20 | 15 | 2½ |

VICE ADMIRALTY COURT.

| | | | | | | |
|-----------------------------|---|---|---|-----|----|---|
| Attorney General's Fees | - | - | - | 6 | 6 | 8 |
| Registrar and Scribe's do. | - | - | - | 15 | 7 | 4 |
| Deputy Provost Martial, do. | - | - | - | 14 | 1 | 6 |
| | | | | 227 | 16 | 6 |

Attorney General's Fees for other Services

40 13 2

ESTABLISHING COUNTY LINES.

| | | | | | | |
|---|---|---|---|----|----|---|
| Commissioners | - | - | - | 45 | 0 | 0 |
| Deputy Surveyor attending Commissioners | - | - | - | 9 | 15 | 0 |
| | | | | 54 | 15 | 0 |

PUBLIC SURVEYS.

| | | | | | | |
|--|---|---|---|----|----|---|
| George Wright, Jun. running a Line from Monaghan Settlement to the Georgetown Road | - | - | - | 14 | 13 | 6 |
| Alexander Anderson, running two Lines of Road in Prince County | - | - | - | 55 | 7 | 6 |
| | | | | 70 | 1 | 0 |

GENERAL ELECTIONS.

| | | | | | | |
|-----------------------------------|---|---|---|------|----|----|
| Queen's County and Charlottetown, | - | - | - | 62 | 12 | 0 |
| King's do. and Georgetown, | - | - | - | 29 | 10 | 6½ |
| Prince do. and Princetown, | - | - | - | 61 | 10 | 8 |
| | | | | L153 | 13 | 2½ |

PRINTING AND STATIONERY.

| | | | | | | |
|-------------------------------------|---|---|---|------|----|----|
| J. D. Haszard's Quarterly Accounts, | - | - | - | 207 | 17 | 10 |
| J. B. Cooper & Co.,—Advertising, | - | - | - | 4 | 15 | 0 |
| | | | | L212 | 12 | 10 |

CENTRAL ACADEMY.

| | | | | | | |
|--------------------|---|---|---|------|----|----|
| Masters' Salaries, | - | - | - | 300 | 0 | 0 |
| Sundry work, | - | - | - | 34 | 10 | 10 |
| | | | | L334 | 10 | 10 |

NATIONAL SCHOOL.

| | | | | | | |
|--|---|---|---|-----|----|---|
| Master's Salary, | - | - | - | 25 | 0 | 0 |
| Repairs in 1837, | - | - | - | 8 | 19 | 9 |
| Ditto in 1838, | - | - | - | 14 | 13 | 3 |
| J. Millner, fixing a stove pipe, 1837, | - | - | - | 3 | 5 | 7 |
| | | | | L51 | 18 | 7 |

GOVERNMENT HOUSE.

| | | | | | | |
|---|---|---|---|------|----|---|
| Sundry work in 1837, (246l. 17s. 3d. voted last Session,) | - | - | - | 257 | 0 | 6 |
| Painting, Gates, Fences, Root House, &c. &c. 1838, (250l. voted,) | - | - | - | 253 | 19 | 9 |
| | | | | L511 | 0 | 3 |

MARKET HOUSE.

| | | | | | | |
|-----------------------|---|---|---|-----|---|---|
| Glazing and Shutters, | - | - | - | 10 | 8 | 0 |
| Clerk's Salary, | - | - | - | 40 | 0 | 0 |
| | | | | L50 | 8 | 0 |

MAILS.

| | | | | | | |
|---------------------------|---|---|---|------|----|----|
| By Steam, | - | - | - | 500 | 0 | 0 |
| J. H. White, three trips, | - | - | - | 28 | 0 | 0 |
| Winter, | - | - | - | 159 | 2 | 0 |
| Inland, | - | - | - | 210 | 16 | 7½ |
| | | | | L897 | 18 | 7½ |

WHARFS, &c.

| | | | | | | |
|---|---|---|---|------|----|---|
| Slip at M'Connell's Ferry, | - | - | - | 50 | 0 | 0 |
| Charlottetown Wharf—a new breastwork, | - | - | - | 150 | 0 | 0 |
| Georgetown do.—part of 90l., voted in 1836, | - | - | - | 49 | 15 | 0 |
| Hope River Wharf, | - | - | - | 50 | 0 | 0 |
| Pinette Wharf, | - | - | - | 50 | 0 | 0 |
| Georgetown Wharf, | - | - | - | 125 | 0 | 0 |
| Repairing Slip at Ellis River Ferry, | - | - | - | 5 | 0 | 0 |
| | | | | L479 | 15 | 0 |

ROAD COMPENSATION ACT.

| | | | | | | |
|-----------------------------------|---|---|---|------|----|----|
| Compensation for Damages, | - | - | - | 50 | 0 | 0 |
| Sheriff's Account, | - | - | - | 43 | 3 | 4 |
| Attorney General's Bill of Costs, | - | - | - | 18 | 18 | 6 |
| | | | | L112 | 1 | 10 |

JAILS AND COURTHOUSES.*Queen's County.*

| | | | | | | |
|---|---|---|---|----|----|---|
| J. Macdonell's Contract (Jail), | - | - | - | 92 | 15 | 4 |
| New Pump, | - | - | - | 5 | 0 | 0 |
| Medical Attendance, | - | - | - | 10 | 0 | 0 |
| Jailer's Salary, and for taking care of deranged Persons, | - | - | - | 50 | 0 | 0 |
| Matron (at L15 per annum) | - | - | - | 8 | 10 | 0 |
| Bread (Jail), | - | - | - | 20 | 2 | 6 |
| Firewood (Jail), | - | - | - | 41 | 0 | 5 |
| High Sheriff's Account, | - | - | - | 54 | 12 | 7 |
| Illuminating Court House and Jail, at the | | | | | | |

| | | | | | | | | | | | |
|---|---|-----|----|----|--|---|---|---|--------|----|-----|
| time of Her Majesty's Coronation, | - | 7 | 6 | 8 | Isaac Smith's Account, for Plans and sundry work, | - | - | - | 7 | 7 | 6 |
| | | 289 | 7 | 6 | A Plan of a new Colonial Building. | - | - | - | 10 | 0 | 0 |
| <i>King's County.</i> | | | | | Smiths and Wright—repairing Guard House, and sundry Reports on Bridges, &c. | - | - | - | 8 | 3 | 9 |
| Alterations &c. in Jail, | - | 15 | 0 | 0 | Town Major's Account, | - | - | - | 11 | 4 | 11½ |
| Jailer's Salary, | - | 30 | 0 | 0 | Treasurer's small Disbursements Account | - | - | - | 50 | 9 | 10½ |
| Firewood for Jail, | - | 20 | 8 | 0 | Bears and Loupcerviers, | - | - | - | 31 | 10 | 0 |
| Medical Attendance, | - | 3 | 0 | 0 | Drawbacks on Goods exported, | - | - | - | 23 | 16 | 8½ |
| Sundry Expenses, per Sheriff's Account, | - | 38 | 19 | 1½ | Interest on outstanding Warrants, | - | - | - | 301 | 9 | 5½ |
| | | 107 | 7 | 1½ | Treasury Notes cancelled, | - | - | - | 1000 | 0 | 0 |
| <i>Prince County.</i> | | | | | | | | | 4279 | 15 | 4½ |
| Jailer's Salary, | - | 30 | 0 | 0 | | | | | | | |
| Sundry Expenses per Sheriff's Account, | - | 55 | 10 | 6 | Expenditure for the year ending January 21st, 1839, | - | - | - | 11,820 | 18 | 2½ |
| | | 85 | 10 | 6 | | | | | | | |
| Colonial Secretary, including his own and Lieut. Governor's Fees, &c. | - | 148 | 6 | 7½ | RECEIPTS at the Treasury for the Year ending January 21st, 1839. | | | | | | |
| District Schools, including £32 8s. to Academic Teachers, and £50 to St. Andrew's College, | - | 438 | 1 | 4 | IMPOST DUTY. | | | | | | |
| Visitor of Schools' Salary, | - | 100 | 0 | 9 | Charlottetown, | - | - | - | 6411 | 6 | 3½ |
| Secretary to Board of Education, | - | 15 | 0 | 0 | Three Rivers, | - | - | - | 1034 | 19 | 11½ |
| Chief Justice's Travelling Expenses | - | 100 | 0 | 0 | Colville Bay, | - | - | - | 439 | 17 | 9 |
| Treasurer's Salary, | - | 500 | 0 | 0 | Bedeque, | - | - | - | 401 | 10 | 4½ |
| Collector of Impost, | - | 300 | 0 | 0 | Richmond Bay, | - | - | - | 453 | 4 | 10 |
| Adjutant General's Salary, | - | 75 | 0 | 0 | Cascumpec, | - | - | - | 50 | 14 | 7½ |
| Sheriff's Salaries—£20 each, | - | 60 | 0 | 0 | St. Peter's, | - | - | - | 79 | 8 | 6 |
| Coroner's Inquests, | - | 51 | 4 | 5 | New London, | - | - | - | 149 | 14 | 7½ |
| Dr. Mackieson, attending an Inquest and travelling expenses, | - | 10 | 10 | 0 | St. Margaret's, | - | - | - | 109 | 8 | 11½ |
| Sub-Collectors of Customs, | - | 170 | 0 | 0 | Belfast, | - | - | - | 1 | 15 | 4½ |
| Commissioners for issuing Treasury Notes, | - | 45 | 0 | 0 | Crapaud, | - | - | - | 4 | 11 | 2½ |
| Wharfinger's Salary, | - | 40 | 0 | 0 | | | | | 9136 | 12 | 6½ |
| R. Hyndman, J. P. expenses in going to Cascumpec, to take Affidavits relative to the wreck at the North Cape, | - | 9 | 16 | 0 | LIGHT DUTY. | | | | | | |
| Assayer of Weights and Measures, | - | 10 | 0 | 0 | Charlottetown, | - | - | - | 46 | 8 | 4 |
| S. Desbrisay—a set of Standard Weights and Measures for Princetown, | - | 7 | 12 | 2 | Three Rivers, | - | - | - | 19 | 19 | 9½ |
| Episcopal Church, Pew Assessment, | - | 10 | 10 | 0 | Colville Bay, | - | - | - | 4 | 6 | 5 |
| Agricultural Societies, | - | 350 | 0 | 0 | Bedeque, | - | - | - | 10 | 3 | 11 |
| J. O. Nantes—making an Index to Books of Registry, | - | 24 | 0 | 0 | Richmond Bay, | - | - | - | 11 | 4 | 3 |
| 8000 blank 5s. Treasury Notes, | - | 21 | 16 | 9 | | | | | 92 | 2 | 8½ |
| Protecting Herring and Alewives Fisheries | - | 18 | 0 | 0 | Post Office, | - | - | - | 349 | 16 | 9½ |
| J. D. Cantelo—cleaning several Stand of Arms, | - | 25 | 0 | 0 | Fines and Penalties, &c | - | - | - | 37 | 1 | 9 |
| Ferryman at Ellis River (voted in 1836), | - | 5 | 0 | 0 | One year's Land Tax, | - | - | - | 1400 | 16 | 7 |
| Repairing Dam leading to Government House, | - | 12 | 12 | 0 | Rent of Warren Farm, 2 years, | - | - | - | 55 | 11 | 0 |
| Cutting Ice from Mount Stewart Bridge, | - | 5 | 5 | 0 | Charlottetown Wharf, | - | - | - | 72 | 11 | 6 |
| Repairing Ferry House, Lot 48, | - | 15 | 15 | 0 | Amount of Licence Duty, | - | - | - | 234 | 10 | 0 |
| D. Mackinnon, indemnification for running a road through his farm, | - | 15 | 0 | 0 | Interest on Bonds, | - | - | - | 185 | 15 | 11½ |
| C. Stockdale, for removing a House off the public road, | - | 10 | 0 | 0 | | | | | 2336 | 3 | 7½ |
| Lunatics and Paupers, | - | 230 | 0 | 0 | Balance of Expenditure, over Receipts at the Treasury, for the year ending January 21st, 1839, | - | - | - | 255 | 19 | 4½ |
| George Wright, jun. Account for Plans, &c. | - | 12 | 3 | 1 | | | | | 11,820 | 18 | 2½ |

| Dr. | GENERAL ABSTRACT. | Cr. |
|---|--|-------------------|
| To amount of Treasury Warrants afloat, and bearing Interest, viz. | By Balance on Bonds in Treasurer's Hands | L6486 10 8 |
| Issued between the 1st February, 1836, and 1st February, 1837, | Do. on Bonds in Attorney General's do. | 867 3 6½ |
| Issued between the 1st February, 1837, and 1st February 1838, | Do. on Bonds in Solicitor General's do. | 137 5 3½ |
| Issued between the 1st February, 1838, and 21st January, 1839, | Cash and Notes in Treasury, | 1518 18 9½ |
| | | |
| Balance, - - - - - | 7115 0 10 | |
| | 1894 17 6 | |
| | <u>L9009 18 4</u> | <u>L9009 18 4</u> |

| Dr. | TREASURY NOTES. | Cr. |
|--|--------------------|---|
| To amount of Notes in circulation, - - - | 12,500 0 0 | By Balance as above over the amount required to meet the payment of Warrants afloat |
| | | 1894 17 6 |
| | | Balance - - - - - 10605 2 6 |
| | <u>L12,500 0 0</u> | <u>L12,500 0 0</u> |

On a reference to the above statement, it will appear, that the Expenditure for the past year amounts to 11820*l*. 13*s* 2*d* $\frac{1}{4}$, and the Receipts at the Treasury to 11564*l*. 18*s*. 9*d*. which leaves an apparent balance, for that period, against the Colony, of 255*l*. 19*s* 4 $\frac{1}{2}$ *d* yet the floating debt of the Colony will be reduced 744*l*. 0*s* 7 $\frac{1}{2}$ *d* in consequence of 1000*l*. of Treasury Notes being cancelled, and charged as Expenditure.

The amount of Treasury Warrants afloat, and bearing Interest, is 7115*l*. 0*s*. 10*d*. to meet the payment of which there are Bonds and Cash in hand to the amount of 9009*l*. 18*s*. 4*d*. There will then be available 1894*l*. 17*s*. 6*d*., to pay the Interest due on outstanding Warrants, over what may arise on Bonds in the Treasury, and to replace 1000*l*. of Treasury Notes, to be cancelled under the Act 3*d* Will. 4*th*, cap. 13. The remaining small balance will then go towards liquidating the floating debt of the Colony.

The Revenue for the past year is 152*l*. 2*s*. 4 $\frac{1}{2}$ *d*. above that of the year preceding, notwithstanding the reduction made by the late House of Assembly on several articles of Impost, which shews the trade of the Colony to be in a healthy state.

Your Committee would beg leave to remark, that the Colonial Secretary's Fees for issuing Warrants, during the past year, amounts to 147*l*. 11*s*. 9 $\frac{1}{2}$ *d*.—a charge founded upon no Law authorising the exaction, and for which the quantum of service performed is so wholly disproportionate, as to call for immediate investigation, in order that some proper check may be placed on such unnecessary expenditure in future. The same Officer also charges 24*l*. 8*s*. 4*d*. for copies of Despatches from Her Majesty's Government, which your Committee think to be a part of the duty devolving on him in virtue of his office.

Your Committee also observe, that the suggestions of the Committee on Public Accounts of the late House of Assembly, relative to the refunding of certain moneys paid to George Wright, jun., and the Registrar in Chancery have not been complied with.

That in consequence of the Steam Packet Cape Breton not having commenced plying in the spring of 1837, for some length of time after the opening of the navigation, (contrary to the terms of the contract entered into by its owners, with the Government of this Island,) it appears to your Committee an expense of 14*l*. was incurred by the Colony in forwarding the Mails by a sailing Vessel, engaged for the purpose, having accommodation for passengers far inferior to that which the inhabitants of this Island are well entitled to derive from the use of a vessel of the description contracted for.

That during the last year it further appears to your Committee, that an expense of 28*l*. was incurred in forwarding several Mails to, and bringing others from Pic-

ton, before the closing of the navigation, by a sailing vessel—an expense which your Committee do not consider should be borne by the Government of this Colony, over and above the annual Grant payable to the owners of the Stern Packet by their contract.

Your Committee having reason to believe also that the said contract, during the last summer, was several times violated by the Steam Packet having been employed off her station, and for purposes wholly foreign to the services of this Island, as contracted for, would recommend to your honorable House the instituting an inquiry to ascertain whether the terms of the Contract have been fulfilled, and how far the Contractors are liable to the Government for the two sums of money incurred as aforesaid, and the most advisable means to be pursued, to prevent a recurrence of similar losses and inconveniences to the Colony in future.

Your Committee recommend that the copy of the Warrant Book, and the Vouchers of Accounts in the list hereunto annexed, be published as an Appendix to the Journal.

[For the Documents referred to in the above Report, see Appendix (E,) at the end of the printed Journal.]

Resolved, That a Committee of five Members be appointed, in accordance with the above Report, to inquire relative to the fulfilment or non-fulfilment of the contract entered into with the Government by the owners of the Cape Breton, Steam Boat, and to report thereon to the House—with power to send for persons, papers and records.

Ordered, That Mr. Palmer, Mr. Longworth, Mr. Thomson, Mr. Pope and Mr. Hudson do compose the said Committee.

Mr. Clark, from the Committee appointed to wait on His Excellency the Lieutenant Governor to know his pleasure when he will be attended by the House with their Address relative to the reconstruction of the Council, reported that His Excellency had been pleased to appoint to-morrow, at One o'clock, to receive the House.

Then the House adjourned until to-morrow at Eleven o'clock.

WEDNESDAY, February 27, 1839.

THE hour appointed by His Excellency the Lieutenant Governor to receive the Address of the 25th inst. having arrived, Mr. Speaker and the House went up—and being returned, Mr. Speaker reported, that the House had attended upon His Excellency, and presented their Address, to which he was pleased to make the following reply:

In reply to this Address of the House of Assembly, I beg to inform them, that, in the execution of my duty, I transmitted to Her Majesty's Government the Address to the Throne of the late House of Assembly, praying for a separation of the Councils, and that by the last Packet I received Her Majesty's Instructions, under the Royal Sign Manual, to carry the measure into effect. It is therefore not in my power to exercise any discretion upon this subject.

Government House, February 27th, 1839.

Mr. *Clark*, from the Special Committee to whom was referred the Bill for regulating the Fishery Reserves, reported, that the Committee had gone through the Bill, and had made several amendments thereto; and he read the

Report in his place, and delivered it in, with the Bill, at the Clerk's Table, where the amendments were again read.

Ordered, That One hundred copies of the said Bill, with the amendments, be printed, for the use of Members; and that the same be published in the *Colonial Herald* and *Royal Gazette* Newspapers.

A Petition of divers Magistrates, Merchants and other Inhabitants of Georgetown and its vicinity, was (with the consent of His Excellency the Lieutenant Governor, that the House may proceed thereon as they shall think fit) presented to the House by Mr. *Thomson*, and the same was received and read, praying for a grant to aid in establishing a Packet to ply between that Port and Pictou, for the conveyance of Mails and Passengers.

Ordered, That the said Petition do lie on the Table.

Then the House adjourned until to-morrow at Eleven o'clock.

THURSDAY, February 28, 1839.

MR. *Clark*, from the Committee appointed to inquire into the Grievances which have agitated this Colony for some time past, with a view to provide a remedy, with leave to report from time to time, by Bills or otherwise, presented to the House a Bill for the settlement and improvement of this Island, and for the establishment of a Court of Escheats—and the same was read the first time.

Ordered, That the said Bill be once inserted in each of the Newspapers published in Charlottetown; and that One hundred copies thereof be printed, for the use of Members, under the direction of the Committee who prepared it.

Mr. *Thomson*, from the Committee appointed to inquire whether there be in the Colonial Treasury any money arising from unclaimed proceeds of Lots in Georgetown, sold under the Act, 6 Will. 4, cap. 2, presented the following Report:

Your Committee appointed to inquire whether any and what unclaimed moneys are now in the Treasury, as surplus proceeds of the sale of Lots under the Act, 6 Will. 4, cap. 2, beg leave to report, that they find there was paid into the Treasury, on the 24th day of May, 1837, by William B. Aitken, Esq. Collector of the Georgetown Assessment, the sum of Thirty-nine pounds one shilling and sixpence, being the proceeds of Water Lot No. 15, sold on the 30th November, 1835; and that no claim or application has subsequently been made for the same.

Your Committee have also examined the Books of Registry of titles to real estate, and find that no title in any person to the said Lot is therein recorded, although it appears a License of occupation from the Crown had been issued therefor.

Your Committee cannot discover that any private individual is now legally entitled to the said sum of money, and they humbly submit that the same is most properly at the disposal of the Legislature of this Island.

Mr. *Thomson* moved, that the Report of the Special Committee be received and adopted by the House.

Mr. *Pope* moved, in amendment, that all the words after 'Committee' be struck out, and the following substituted—'do lie on the Table'; which being seconded and put, was carried in the affirmative.

The main motion, as amended, was then put and carried.

A Message from His Excellency the Lieutenant Governor.

Mr. Secretary Collins, by command of His Excellency, delivered the following Message :

CHARLES A. FITZ ROY, Lieut. Governor.

The Lieutenant Governor lays before the House of Assembly, for their information, the copies of a Correspondence which has passed Her Majesty's Government and Mr. George R. Young, relative to the arrangement agreed to by the Earl of Ripon in 1833, for the commutation of the Quit Rents in this Island.

Government House, Feb. 27th, 1839.

[For the Correspondence referred to in the above Message, see Appendix (F.)]

Mr. Secretary Collins, by command of His Excellency the Lieutenant Governor, presented to the House, an account of Exports and Imports; Vessels launched and registered; Vessels which have left the Island under certificate; Vessels transferred to other Ports;

Number and tonnage of Vessels engaged in Foreign Trade and in Fishing; Detailed Account of Imperial Duties collected at this Port during the past year, in compliance with the Message of this House to His Excellency, of the 19th ult.

[For the said Returns, see Appendix (G.) at the end of the printed Journal of this Session.]

Resolved, That a Committee of five Members be appointed, to examine and report on the documents laid before this House relative to Georgetown, and to examine into the circumstance of a portion of the Royalty being declared to be 'adjoining the said Royalty', at the Surveyor General's office, and by the late House of Assembly, to form a part of the said Royalty; and to report on the Grant of so large a portion as four hundred acres of the said Royalty to Dr. Cumming, by address or otherwise—with power to send for persons, papers and records.

Ordered, That Mr. Thomson, Mr. Rae, Mr. Le Lacheur, Mr. J. Dingwell, and Mr. D. Macdonald, do compose the said Committee.

Then the House adjourned until to-morrow at Eleven o'clock.

FRIDAY, March 1, 1839.

ON Motion of Mr. Rae—

Resolved, That the different Special Committees appointed this Session, who have not reported, be authorized, so far as may be practicable, to make up their Reports, and submit the same at an early period of the next Session of this House.

On motion of Mr. Clark,

Resolved, That the delay which has occurred in the printing the Journals of the House of Assembly has been prejudicial to the public service.

Mr. Rae moved that the House do come to the following Resolution :

That as John H. White has not fulfilled the provisos of his contract as to printing the Journals of the House of Assembly, he be ordered to give up the various documents sent to him to be printed in the Appendix—that he complete the Journals up to this date, and

if he do so by Tuesday the 12th inst. this House will not insist on any penalty for non-fulfilment, and will provide that he shall be paid for the Journals up to this date.

Mr. *Pope* moved, in amendment to the motion, that all the words after 'Resolution' be struck out, and the following substituted—'That as Mr. White is entitled by his contract to retain such copy as may be sent him to print, any attempt to deprive him of the same will be a positive violation of his contract on the part of this House, and an invasion of private right.'

The House divided on the motion of amendment :

YEAS :

Mr. Pope,
Mr. Longworth,

Mr. Palmer,
r. Hudson.

NAYS :

Mr. Clark,
Mr. Gorman,

Mr. Le Lacheur,
Mr. Macfarlane,

| | |
|----------------------|------------------|
| Mr. Macintosh, | Mr. Thomson, |
| Mr. Arbuckle, | Mr. Montgomery, |
| Mr. Forbes, | Mr. Macneill, |
| Mr. D. Macdonald, | Mr. Dalziel, |
| Mr. J. S. Macdonald, | Mr. W. Dingwell, |
| Mr. J. Dingwell, | Mr. Fraser, |
| Mr. Beck, | Mr. Rae. |

So it was carried in the negative.

The question being then put on the main motion,

The House again divided:

YEAS :

| | |
|-------------------|------------------|
| Mr. Beck, | Mr. Rae, |
| Mr. J. Dingwell, | Mr. Fraser, |
| Mr. D. Macdonald, | Mr. W. Dingwell, |
| Mr. Forbes, | Mr. Dalziel, |
| Mr. Arbuckle, | Mr. Macneill, |
| Mr. Macintosh, | Mr. Montgomery, |
| Mr. Gorman, | Mr. Thomson, |
| Mr. Clark, | Mr. Macfarlane, |
| | Mr. Le Lacheur. |

NAYS :

| | |
|---------------------|----------------|
| Mr. J. S. Macdonald | Mr. Pope, |
| Mr. Hudson, | Mr. Longworth. |
| Mr. Palmer, | |

So it was carried in the affirmative.

Resolved, That a further Conference be desired with the Legislative Council, on the Bill intituled *An Act for the improvement of Property in Georgetown, and to provide against accidents by Fire*.

Ordered, That Mr. Arbuckle do go to the Council and desire the said Conference.

Ordered, That the same Committee who managed the former Conference be a Committee to manage this further Conference.

A Message from the Council, by Mr. Desbrisay :

Mr. Speaker,

The Legislative Council do agree to a further Conference, as is desired by the House of Assembly, on the Bill intituled *An Act for the improvement of Property in Georgetown, and to provide against accidents by Fire*; and have appointed the Honorables Mr. Haviland and Mr. Brecken a Committee to manage the said conference—to meet in the Committee Room instanter.

And then he withdrew.

And the names of the Manages being called over, they went to the Conference :

And being returned,

Mr. Clark reported, that the Managers had been at the Conference; and he stated the substance thereof to the House.

Resolved, That a Message be sent to the Legislative Council, praying their Honors will permit the Honorable Mr. Attorney General, one of their Members, to attend the Special Committee of the House of Assembly, appointed to inquire into the Grievances which have agitated this Colony for some time past, with a view to provide a remedy, this day, at Two o'clock, to be examined touching the matters to them referred.

Ordered, That Mr. Clark do carry the said Message to the Council.

A Message from the Council by Mr. Desbrisay,

Mr. Speaker,

The Legislative Council have passed the Bill intituled *An Act for the improvement of Property in Georgetown, and to provide against accidents by Fire*.

And also,

‘Council Chamber, 1st March, 1839.

Ordered, That the Honorable Mr. Attorney General do have leave to attend the Special Committee, of the House of Assembly, appointed to inquire into the Grievances which have agitated this Colony for some time past, with a view to provide a remedy, this day, at Two o'clock, to be examined touching the matters to them referred.’

And then he withdrew.

Resolved, That a Committee of three Members be appointed, to superintend the printing of the Appendix to the Journal, during the recess.

Ordered, That Mr. Arbuckle, Mr. Rae and Mr. Clark do compose the said Committee.

Mr. Palmer moved, that it be an instruction to the said Committee, that the printing of the Appendix be put up to tender.

Mr. Le Lacheur moved the previous question—‘Shall the said question be now put?’

The House divided on the question.

YEAS :

| | |
|----------------------|-----------------|
| Mr. Palmer, | Mr. Longworth, |
| Mr. Hudson, | Mr. Yeo, |
| Mr. J. S. Macdonald, | Mr. Montgomery. |

NAYS :

| | |
|-------------------------|--------------------------|
| <i>Mr. Le Lacheur,</i> | <i>Mr. Rae,</i> |
| <i>Mr. Fraser,</i> | <i>Mr. D. Macdonald,</i> |
| <i>Mr. W. Dingwell,</i> | <i>Mr. Dalziel,</i> |
| <i>Mr. Clark,</i> | <i>Mr. Beck,</i> |
| <i>Mr. Macneill,</i> | <i>Mr. J. Dingwell,</i> |
| <i>Mr. Arbuckle,</i> | <i>Mr. Gorman,</i> |
| <i>Mr. Macfarlane,</i> | <i>Mr. Forbes,</i> |
| <i>Mr. Thomson,</i> | <i>Mr. Macintosh.</i> |

So it passed in the negative.

Mr. Thomson moved, that it be an instruction to the said Committee, to have the printing done on the best terms for the public.

Mr. Clark, moved, as an amendment to the question, that *Mr. James B. Cooper & Co.* be appointed Printers to this House.

Mr. Palmer moved, in further amendment, that the Committee be limited to the printing of the Appendix.

The House divided on *Mr. Palmer's* motion of amendment:

YEAS, 6,

NAYS, 16.

And the names being called for, they were taken down as in the last preceding division.

So it passed in the negative.

Mr. Palmer again moved, in amendment to *Mr. Clark's* motion, that at the end of the question be added 'during this Session,' which being seconded and put, passed in the negative.

Mr. Palmer again moved, in amendment to *Mr. Clark's* motion, that the whole be struck out, and the following substituted—

'Resolved, That it is inexpedient at this period of the Session to provide for any more of the printing of this House than what pertains to the present Session; and that it is also highly inexpedient, and contrary to the uniform practice of the House of Assembly of this Island to appoint any particular individual permanently to the office of Printer to the House; and before any measure of this nature be offered to this House, it is due to economy that the same be thrown open to public competition, and for that purpose, that the further consideration of the question be postponed until next Session.

The House divided on the said motion of amendment.

YEAS :

| | |
|-----------------------------|------------------------|
| <i>Mr. J. S. Macdonald,</i> | <i>Mr. Hudson,</i> |
| <i>Mr. Pope,</i> | <i>Mr. Montgomery,</i> |

Mr. Palmer,
Mr. Longworth,

Mr. Yeo.

NAYS :

| | |
|------------------------|--------------------------|
| <i>Mr. Clark,</i> | <i>Mr. J. Dingwell,</i> |
| <i>Mr. Arbuckle,</i> | <i>Mr. Gorman,</i> |
| <i>Mr. Macfarlane,</i> | <i>Mr. La Lacheur,</i> |
| <i>Mr. Macintosh,</i> | <i>Mr. Beck,</i> |
| <i>Mr. Fraser,</i> | <i>Mr. D. Macdonald,</i> |
| <i>Mr. Rae,</i> | <i>Mr. W. Dingwell,</i> |
| <i>Mr. Thomson,</i> | <i>Mr. Dalziel,</i> |
| <i>Mr. Forbes,</i> | <i>Mr. Macneill.</i> |

So it passed in the negative.

A Message from His Excellency the Lieutenant Governor, by *John Cambridge Wright, Esq. Usher of the Black Rod.*

Mr. Speaker,

His Excellency the Lieutenant Governor commands the immediate attendance of this Honorable House in the Council Chamber.

Accordingly *Mr. Speaker* and the House went up to attend His Excellency; when His Excellency was pleased, in Her Majesty's name, to assent to the several Bills following, viz.

An Act to provide against the running at large of Hogs in the Streets and Squares of Charlottetown.

An Act for the protection of Sheep against vicious Dogs.

An Act to further continue, for a limited period, an Act passed in the Fifty-ninth year of the Reign of His late Majesty King George the Third, intituled 'An Act for regulating Juries, and further declaring the qualifications of Jurors.'

An Act for further continuing an Act, intituled 'An Act to regulate the Fisheries of this Island.

An Act to authorize the appointment of Coal Meters for Charlottetown.

An Act to continue for a limited period three several Acts therein mentioned.

After which, *Mr. Speaker* presented the following Bills for His Excellency's assent, viz.

An Act for the improvement of property in Georgetown, and to provide against accidents by Fire.

An Act for granting a Bounty on Vessels engaged in the Fisheries of this Island.

An Act to continue and amend the Act regulating the Public Wharf of Charlottetown.

To each of which His Excellency was pleased, in Her Majesty's name, to signify his assent.

After which the Honorable the President of the Legislative Council said—

Gentlemen,

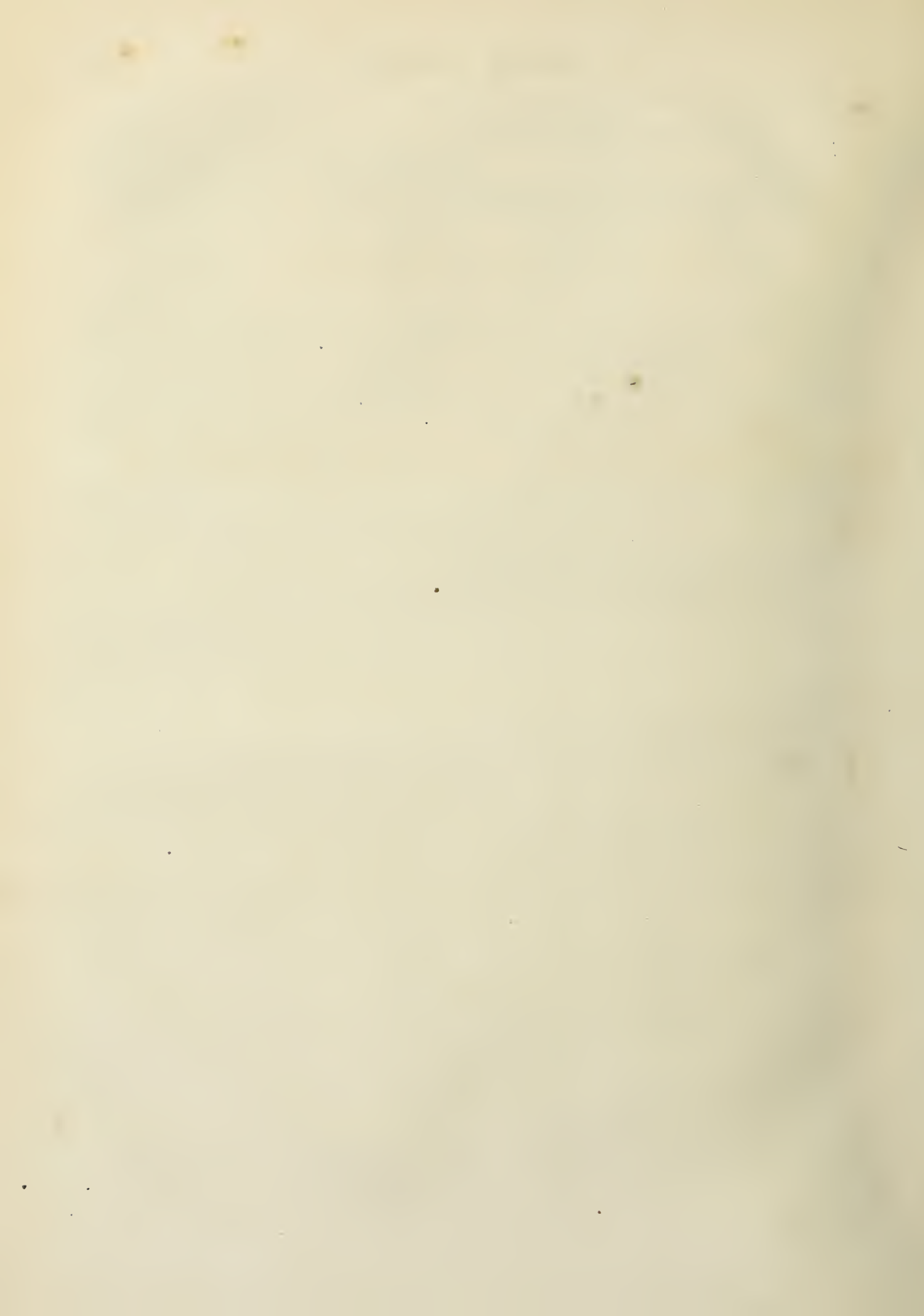
It is the will and pleasure of His Excellency the Lieutenant Governor, that this Ge-

neral Assembly be prorogued until Tuesday the Twelfth day of March instant; and this General Assembly is accordingly prorogued until Tuesday the Twelfth day of March instant.

END OF THE FIRST SESSION.

OMISSION.

Page 68—In the Address to His Excellency on the reconstruction of the Council, 2d paragraph, line 2, after the word 'beneficial', insert as a parenthesis, 'not even on the Elective principle.'



APPENDIX

TO THE

JOURNAL

OF THE

HOUSE OF ASSEMBLY

OF

PRINCE EDWARD ISLAND,

*FOR THE SESSION COMMENCING THE TWENTY-SECOND DAY OF JANUARY,
AND ENDING THE FIRST DAY OF MARCH, IN THE YEAR OF OUR LORD
ONE THOUSAND EIGHT HUNDRED AND THIRTY-NINE.*

CHARLOTTETOWN:

JAMES B. COOPER & CO.

EAST CORNER OF POWNAL AND WATER STREETS.

1839.

APPENDIX

(A.)

[SEE PAGE 19.]

Message.

C. A. FITZ ROY, Lieutenant Governor.

The Lieutenant Governor lays before the House of Assembly, for their information and guidance, the copy of a Despatch from the Right Honorable Lord Glenelg, dated the 3rd December last, conveying Her Majesty's commands on the appropriation of the proceeds of the Glebe and School Lands, sold under the Colonial Act 5 Will. 4, cap. 13. Government House, 28th January, 1839.

LIST OF PAPERS ACCOMPANYING THE LIEUTENANT GOVERNOR'S MESSAGE.

—oo—

- No. 1. COPY of Despatch from Lord Glenelg to Sir Charles Augustus Fitz Roy, dated Third December, 1838.
 2. LETTER from the Bishop of Nova Scotia to Lord Glenelg, dated Twenty-third July, 1838.
 3. OBSERVATIONS on the Joint Report of the Council and Assembly, on the subject of the Glebe and School Lands, by certain individuals in Charlottetown.
 4. SECOND LETTER from the Bishop of Nova Scotia to Lord Glenelg, of the same date as the former.
 5. REPORT of the Law Officers of the Crown, relative to the exclusive right of the Church of England to the reserved Lands.
-

No. 1.

DOWNING STREET, 3rd December, 1838.

SIR ;—In my Despatch of the 1st June last, No. 51, I informed you, that by Her Majesty's commands I had referred, for the consideration of the Bishop of Nova Scotia, the Joint Report of the Council and Assembly of Prince Edward Island, on the exclusive right of the Church of England in that Colony to the proceeds arising from Church and School Lands sold under the Colonial Act 5 Will. 4, c. 13. In the month of July, I received from the Bishop his reply to that Report, copies of which I herewith enclose for your information; and after fully considering the arguments adduced on either side, I felt it my duty, before tendering to Her Majesty any final advice on the question, to refer the papers for the consideration of the Law Officers of the Crown. A copy of their Report I also enclose here-

with. You will observe that the Queen's Advocate, and the Attorney and Solicitor Generals, are of opinion, that although no actual right accrued to such reservations until a Church was built, the reservations for Churches and Glebes, in the Order in Council of 1767, had reference solely to Churches and Ministers connected with the established religion. With respect, however, to the reservations for Schools, they are of opinion that no such restriction exists. These views do not entirely accord with those adopted by the Legislature of Prince Edward Island; but the Council and Assembly will, I am convinced, see, in the careful and laborious examination which this question has undergone, my anxiety to execute the trust devolved on Her Majesty's Government by the Colonial Act 5 Will 4, cap. 13, with a due regard to justice, and to the rights of all parties interested in the matter. In the opinion ex-

sider how the law, as well as the instructions of Her Majesty's Government, then stood. In the *Province of Nova Scotia*, so early as 1758, an Act was passed constituting the Church of England the established Church of the Province; and the Governor was thereby requested to induct every minister of the said Church into such parish as shall make presentation of him. Acts continued to be passed relative to the good government of the Church of England, and the election of its officers, church wardens, &c. from that time until the year 1767, during which period this Island was an integral part of Nova Scotia. And it may perhaps have escaped your Lordship's laborious investigation, that in the year 1759, an Act was passed conferring upon the Governor of the Province of Nova Scotia the power of allotting Parishes, by metes and bounds, within his Province, for the sole benefit of the Church of England, as by law established. Laws still continued to be enacted for the benefit of the Church from that time until the year 1767, all tending to the same purpose, and acknowledging the supremacy of the Church of England. Subsequently a few grants were made by Governor Patterson, the first Governor of the Island, which are in exact conformity with the grants made by Lord William Campbell, the then Governor of Nova Scotia. On reference to the instructions to Governor Patterson, it will be found that he is desired to conform *himself in all respects* to the instructions formerly issued to the Governor of Nova Scotia, a copy of which instructions is there stated to be annexed, and to be considered as forming a part of his then present instructions, evidently shewing that it was the intention of the Government to adopt the same principle of settlement in that part of the Province of Nova Scotia called the Island of St. John, as had heretofore been acted upon in the said Province.

If the Island of St. John were an integral part of the Province of Nova Scotia, it must certainly have been bound by the same laws as the rest of the Province; and on considering what the intention of Government was in making the reservations alluded to in the grants, the law of the Province of Nova Scotia, and the instructions to the Governor of that Province, form the best and only solution of any doubt that may arise concerning the meaning of the words contained in the grants. The joint Committee of the Council and House of Assembly place no reliance, as they say, upon the Royal Instructions to the Governor: we, on the contrary, do; conceiving, as we think, that the best explanation of the acts of a servant is, by reference to the orders of his master, it being a matter of notoriety that no Governor of a Province is permitted to depart from the tenor of his instructions. Should there be any doubt that those instructions were in strict conformity with those of the Governor of Nova Scotia, a reference to the respective instructions will immediately resolve it.

It has been stated that the Island was surrendered at the treaty of Aix La Chappelle, by Great Britain to France, as a *dependency of Cape Breton*. This is an assumption, the

grounds of which we are at a loss to conjecture, unless it were that the Island was not finally evacuated until the year 1763, for which we need go no further than the law of the Province of Nova Scotia, passed in the year 1759, wherein it is declared, that although the French inhabitants of the Province of Nova Scotia, of which the then Island of St. John constituted a part, had, by treaty, agreed to become the subjects of Great Britain, they nevertheless continued to correspond with France, refused to take the oath of allegiance, committed murders and devastations upon His Majesty's subjects, so that it was not until the year in which the treaty of Aix La Chappelle was concluded, they were finally compelled to evacuate the Island of St. John; nevertheless it is evident from every part of the history of that period, that the continuance of the French inhabitants in the Island of St. John was merely a boon granted by the British Government; the right to the soil, and its being a part of the Province of Nova Scotia, or Acadia, as it was then called, was unquestionably that of Great Britain, that right having never been conceded.

It is rather astonishing that a House of Assembly of Prince Edward Island, in the year 1838, should have been enabled so correctly to ascertain what were the sentiments of the high contracting parties at the Treaty of Aix La Chappelle, when, at the Treaty of Utrecht, it was a matter of doubt as to what constituted the limits of the then Province of Nova Scotia. Besides, had other histories been consulted, or had even the words of the Treaty itself been adverted to or quoted, it would have been found that the Island of St. John was never once mentioned or alluded to.

It is stated that your Lordship is incorrect in your assertion, that 'the words in all the Grants were copied from the 28th section of the Royal Instructions of 1769, as these Instructions were dated nearly two years subsequent to the Order in Council under which the several Grants in this Colony issued from the Crown, and one year after most of the Grants had passed;' whereas, had the framers of the Report reflected that they had previously asserted, that the Order in Council by which the Governor of the Province of Nova Scotia was directed to convey these Lands to the several Grantees, was dated in the year 1767, the Instructions to the Governor of the Province of Nova Scotia must at least have been prior to that date; and further, that the version of your Lordship, as to the Royal Instructions, is most likely to be the one most correct. The idea that this Island was intended to be settled "solely" by German Protestants, and those averse to the National Religion, as is assumed by the Committee, is so absurd, as not to require refutation. That the English Government should have entertained an intention so ridiculous as to make this completely a Colony of Foreigners, is to suppose that they were totally ignorant of the law of the land: for they must have known that there was a law of the Kingdom of Great Britain, passed in the reign of Charles the Second, which prevented foreigners holding or occupying land in these Colonies without having first resided seven years

therein, and having taken the usual Oaths of Supremacy and Allegiance; a law which we have yet to learn is not in force, but which, at the date of the passing of the Grants in question, it cannot by any possibility be denied, was in full vigour and effect. Had there been a doubt, as to who were meant by Ministers of the Gospel—had even the Royal Instructions been silent upon the subject—the law of the Island of 1802 would have afforded the fullest information. Taking this therefore in connection with the Act of the Province of Nova Scotia, passed so early as the year 1758, and the Acts subsequent thereto, it is evident that by the words “Ministers of the Gospel” those of the Church of England, and none other, could have been contemplated. Twelve years after the Royal Assent had been given to the law of 1802, we find that a Warrant of Survey was issued to the Surveyor General, directing him to lay off the Glebes in every Township in the Colony; thereby affording a clear and decisive proof, if any such were wanting, of the intention of the Government of the day, to appropriate them to the use of the Church of England, under the provision of the aforesaid Act. What followed? Conservators of Glebes were appointed under the Great Seal of the Island; and to whom were those offices entrusted? To those to whom the custody of the lands in question rightfully appertained, the Ministers of the Church of England, established not only by the law of the Empire, but also by a solemn Statute of the Colony. It would be derogatory both to your Lordship and ourselves to enter into the question that is raised by the House of Assembly, that your Lordship is erroneous in your assertions respecting the conversations had with some of the Members of that body; confiding as we do in your Lordship’s integrity, both as a zealous and pious Pastor of the Church and a learned and accomplished gentleman, you must pardon us if we refrain from even giving the assertion a naked denial. That your Lordship, in your conversations with several gentlemen in this Island, upon a subject so naturally interesting and important to you, might have fallen into the error of supposing that those who had been Members of the previous House, some of whom had opposed, and some advocated, the sale of the Glebe Lands, is perfectly within the knowledge of many of those who subscribe this document; and it is with no small feeling of regret, we might even say of indignation, that we find it in a public document attempted to be insinuated, that in a matter so interesting to the welfare of the Church over which you have been called to preside, you would condescend to have availed yourself of what the Committee of the Legislature must have considered a groundless and gratuitous fiction.

While we regret, my Lord, that our Church has met with so little favour at the hands of the Legislature of late years, and their departure from the principles of their ancestors, we cannot but feel grateful, that her interests are entrusted to the keeping of one whom nothing can prevent from a strict, conscientious and upright discharge of his duty. Go on, therefore, my Lord, certain that you

carry with you the most zealous wishes of those members of the Church of England, residing in this Colony, who feel anxious for its welfare. That your exertions to obtain for her that remuneration which justice demands and requires may be crowned with ultimate success, is their fervent and constant prayer.

To the Right Reverend and Honorable
the Lord Bishop of Nova Scotia.

—
No. 4.

5, YORK STREET, ST. JAMES,
23d July, 1838.

My Lord;

I have the honor to address to your Lordship the following remarks, on ‘A Report from a Joint Committee of the Council and Assembly of Prince Edward Island, to whom was referred the Message of His Excellency the Lieutenant Governor, transmitting a Despatch from the Right Honorable Lord Glenelg, with copies of a correspondence which had taken place between his Lordship and his Grace the Archbishop of Canterbury, on the subject of the Act for the sale of the Glebe and School Lands in this Colony, in which correspondence is a letter from the Bishop of Nova Scotia, asserting the exclusive right of the Church of England to this property,’ &c. &c.

1. The Committee, in the commencement of their Report, ‘express their surprise that the Bishop of Nova Scotia should have deferred, until this late period, to call in question the justice of the measure adopted by the Legislature.’ They afterwards state, ‘that during a period of upwards of six years, which elapsed from the first discussion of the question, until the Royal Assent was given to the Act, no objection was made by his Lordship, or any person, against the measure, with the exception of the communication which appears to have been addressed to the Right Honorable the Earl of Aberdeen (then Secretary of State for the Colonies), by order of the Society for the propagation of the Gospel, on the 9th March, 1835;’ and again, that no objection was made to the Bill in question before the Royal Assent was given.

My first remark, on this part of the Report, is, that if I had been as negligent as the Committee have stated me to have been, in omitting to notice the progress of an endeavour to alienate lands which belonged to the Church, or were intended for her benefit, no negligence on my part, however culpable, could diminish the injustice of such alienation, or its inconsistency with the original intention of the Reserves, or mitigate the wrong which it inflicted on the Church. My next remark is, that the Committee have been under much misapprehension on this point, which will readily appear by a simple statement of facts.

Upon the first movement in the matter, I communicated with the Lieutenant Governor of the Island upon the subject, although it appeared scarcely possible that the endeavour to alienate the Glebe could succeed; and I had good reason to believe that His Excellency concurred in that

opinion. No time, however, was lost in representing the matter to the Society for the propagation of the Gospel. The subject was also brought to the notice of Lord Goderich, in a letter which I had the honor of addressing to his Lordship on the 27th of March, 1833, where I expressed the confidence which I really entertained, that the bare mention of the subject would produce the effectual protection of the Government. A copy of that letter was sent, at the time, to the Society, and is now in their office. The matter was again brought before the Society, by my letters in that year, and very particularly afterwards in March and in April, 1834, when a third Address from the Assembly of the Island was forwarded to the Colonial Office. It was not unreasonable to suppose, that the Addresses from the House of Assembly in 1830, and in 1832, were thought inadmissible, as they remained unnoticed for several years. There was, perhaps, still greater reason to think the Address of 1834 would be equally unsuccessful. It supplied no stronger reasons for the serious change for which it prayed than were contained in the earlier Addresses, and the House of Assembly had been particularly urged to forward it by a Petition whose character seemed unlikely to assist any measure which might be grounded upon it.

The substance of that Petition was inserted in the Journals of the House, which were regularly forwarded to Downing Street, and preserved there, where your Lordship is reminded that this Petition speaks of the King, when coming to the Throne, as having *found the nation groaning under the intolerable burthen of an Established Church*—as not having yet been able to free his subjects from that galling yoke, which cannot be borne much longer by freemen—where your Lordship is reminded that this same Petition represents an *Established and State-endowed Church as one which may accord with the views of ambitious Churchmen and Priest-ridden Princes, but is looked upon as a cruel imposition by all who respect the sacred rights of conscience*; and accuses the Episcopaleans, because they desire to retain the little property originally intended for them, as meditating a deed of plunder and rapacity, and predicts that their success in this object would not cease to produce an abundant harvest of hatred and envy, till that Church, which they are labouring to uphold by such unworthy means, shall be overturned, both root and branch.

When your Lordship is reminded of the sentiments thus expressed in the Petition of 1834, to the House of Assembly, you will not be surprised that an Address to the Throne, urged on by such a petition, was thought to be as unlikely to obtain any favourable regard as those which had preceded it in 1830 and 1832. It was, therefore, with as much astonishment as regret, that I received a letter from the Lieutenant Governor of the Island, in January, 1835, containing the following passage—‘I have received the orders of the Secretary of State to sell the Glebe and School Lands, and when that is effected and reported, instruc-

tions will be transmitted to me, in regard to the appropriation of the money derived from the sale.’ This letter from Lieutenant Governor Young was immediately forwarded to the Society for the propagation of the Gospel, and probably induced an application from that body to the Colonial Office, in March, 1835. The reply from Mr. Hay stated, ‘that the unoccupied state of the Land reserved in Prince Edward Island, for the support of the Ministers and Schools, having been represented to obstruct the improvement of the Colony, a sale of those lands has been authorized—but without any sanction for the reversion of the proceeds from the purposes for which the lands themselves were originally set apart. The only immediate object appears to have been, to remove an obstruction to the cultivation of the Island, and upon the appropriation of the money thus realized no decision has been pronounced.

‘In regard to the Bills alleged to have been introduced into the Assembly, Lord Aberdeen has no further information, at present, than is contained in your letter, and it would be premature to express any opinion upon measures of which the particulars are unknown. Should they, however, pass into laws, and thus come before His Majesty for confirmation, it will be in the power of the Society, or of the Bishop of Nova Scotia, to urge any objections which they may consider applicable to the Acts, as infringing upon the rights of the Church of England.’

This letter from Mr. Hay might easily lead the Society to think no such Bill as was alluded to would receive the Royal Assent, until an opportunity was afforded to them for shewing their reasons against it; and your Lordship will permit me to state, I had still greater reason to hope an opportunity would be afforded to myself to make some observations upon a Bill so vitally affecting the property of the Church under my care, for the Royal Assent had been recently withheld from a Parish Bill, passed by the Legislature of the same Island, of very minor importance, until it could be referred to the Bishop of the Diocese. Being on duty in a very distant part of my charge—the Bay of Chaleur—when this communication first reached me, a reply to it was unavoidably delayed; and a second communication from the Colonial Office, on the same subject, followed me to Bermuda, another distant part of my Diocese, from whence I replied to it, and then again endeavoured to obtain protection for the Glebes in Prince Edward Island. Your Lordship will therefore, I trust, acquit me of the negligence with which I am charged—at least by implication—although, if the charge had been well founded, it would not have affected the merits of the case; nor will your Lordship be surprised, after all that had taken place, at my supposing it most improbable that the Government should ever consent to the alienation of the Glebes in Prince Edward Island.

2. The Report of the Committee next charges me with an error, in stating that the Island was a part of the Pro-

several treaties in support of that charge. This, however, appears entirely irrelevant; for if the few words in my letter to the Archbishop which have occasioned the charge, and which form only a parenthesis—*when Prince Edward Island, then called the Island of St. John, as well as New Brunswick, formed a part of the Province of Nova Scotia*—were struck out of the letter, the whole force of all I have said would remain, without the least abatement.

The object of my reasoning was, to shew the intention of the Government in making the reserve—and that intention is as clearly shown without those words as with them.

The contract between the Government and the Society, made in 1794, was in force at whatever period the Island was attached to Nova Scotia; and when so attached, it became subject to all the laws, and instructions and engagements, which applied to Nova Scotia. I have thought it right, however, to refer to the treaties of Utrecht and Aix-la-Chapelle, as these have been mentioned, and find that the Island of St. John is not named in them. It was then little known; but being within nine miles of the shore of Nova Scotia, it had been claimed by Great Britain, as included in the terms of the Treaty of Utrecht, which ceded the Island of St. Christopher's, in the West Indies, and *likewise all Nova Scotia, or Acadia, with its ancient boundaries, and all other things in those parts which depend on the said Lands and Islands.* The Governors of Nova Scotia were accordingly directed, upon several occasions, to prevent the settlement of French inhabitants on the Island, whose aggressions were particularly complained of in 1743 and 1752, as appears by the correspondence of the Lords of Trade in those years.

As the Instructions to all the Governors of Nova Scotia, before Prince Edward Island was brought into much notice, clearly shew, that the uniform intention of the Government was, to encourage and uphold the Established Church, so the same intention was manifested in reference to that Island as soon as brought more into view; and although the same inclination that had always been manifested, to give toleration to Dissenters, was preserved, nothing appears which can be construed as a desire, on the part of the Government, to assist them by Grants of Land.

In February, 1764, after the period when the Committee themselves are satisfied that St. John formed part of Nova Scotia, the Lords of Trade recommended the settling of that Island, upon the plan and under the regulations approved of for Nova Scotia; and the Instructions, as well as all the Grants of Townships in Nova Scotia, shew that these regulations comprehended allotments of land for the Church and her Ministers.

But upon this point nothing can be more express and clear than the Order in Council of 1767, and the Instructions to the first Governor of Prince Edward Island, in 1769. These two instruments were suggested by the same feelings, and emanated from the same authority. They serve, if explanation be necessary, to explain each other, and cannot easily be mistaken. I therefore beg to

insert extracts from them in this letter, and may venture to say to your Lordship, as I wrote to the Archbishop of Canterbury, that if, after reading these extracts, and considering the previous Instructions, and the uniform usage in Nova Scotia, founded on these Instructions, any doubt can exist in your Lordship's mind, as to the only Church and the only Ministers who were interested in the Glebes, I will not occupy another moment of your Lordship's time. They speak only of *the Church and the Ministers* to whom belong *the Book of Common Prayer*—and who alone were under the jurisdiction of the *Bishop of London*—who alone could receive *Ecclesiastical Benefices*—and who alone could have an interest in the several *Vestries* in their respective Parishes.

Extract from an Order in Council in 1767.—‘That there be also a reservation, in a proper part of each Township, of One hundred Acres of Land, for a site of a Church, and as a Glebe for a Minister of the Gospel, and Thirty Acres for a Schoolmaster.’

Extract from the Royal Instructions to the Governor of Prince Edward Island, dated the 4th of August, 1769, Section 27.—‘And whereas nothing can more effectually promote the peace and happiness of our subjects there, and impress upon their minds a just sense of religion and morality, than an uniform and regular observance of those rites and duties which our Holy Religion requires, you will, therefore, have a very particular attention to this important object—and to that end, you shall take especial care, that God Almighty be devoutly and duly served throughout your Government—the *Book of Common Prayer, as by Law established*, read each Sunday and Holiday—and the blessed Sacrament administered according to the rites of the Church of England.’

Section 28.—‘You shall be careful that the Churches hereafter to be built within our said Island, be well and orderly kept; and that besides a competent maintenance, to be assigned to the Minister of each orthodox Church, a convenient House be built, at the public charge, for each Minister; and you are, in especial manner, to take care that One hundred Acres of Land, for the site of a Church, and as a Glebe for a Minister of the Gospel, and Thirty Acres for a Schoolmaster, be duly reserved, in a proper part of every Township, conformable to the directions and conditions annexed to our Orders in Council of the 26th August, 1767, herein before referred to.’

Section 29.—‘You are not to prefer any Minister to any Ecclesiastical Benefice in that our Island, without a Certificate from the Right Reverend Father in God, the Lord Bishop of London, of his being conformable to the doctrine and discipline of the Church of England, and of a good life and conversation; and if any person, preferred already to a Benefice, shall appear to you to give scandal, either by his doctrine or manners, you are to use the proper means for the removal of him.’

Section 30.—‘You are to give orders forthwith, that every orthodox Minister within your Government be one

'of the Vestry in his respective Parish; and that no Vestry be held without him, except in case of sickness, or that, after notice of a Vestry summoned, he omit to come.'

Section 31.—'You are to inquire whether there be any Minister within your Government who preaches and administers the Sacrament, in any orthodox Church or Chapel, without being in due orders, and to give an account thereof to the said Lord Bishop of London.'

3. The Committee next declare, they 'cannot perceive the importance which the Bishop of Nova Scotia would seem to attach to the Royal Instructions.

'Your Committee have yet to learn that any Instructions can contravene Letters Patent, under the Great Seal, in which form the several Grants of Land in this Colony passed from the Crown, and therefore his Lordship's arguments, founded on such a basis, cannot avail him.'

I have attentively examined my letters to the Archbishop of Canterbury, and cannot discover a sentence which can be thought to express any doubt respecting the validity of the Grants, or to contravene Letters Patent under the Great Seal.

I suppose the meaning of certain words in those Patents had not been clearly understood by the Legislature of the Island, and considered the Order in Council, and the Royal Instructions, under which such Grants were passed, to be the best guides to their right interpretation. I have no doubt that your Lordship will concur in this opinion. It is, therefore, unnecessary to dwell upon this point of the Report; nor can it be necessary to say much upon the Committee's denial of the authority of the Royal Instructions in controlling the disposition of the reserved Lands, because those Instructions form the only proper guide for such disposal of the Lands. Neither can it be requisite to dwell upon the assertion of the Committee, that the Royal Instructions of 1769 could have no reference whatever to Lands which had passed from the Crown before their promulgation.

Those Instructions may certainly be used, not in contravention of the Grants which passed immediately after the Order in Council of 1767, but to explain the intention of those Grants, and especially because they are exactly of the same character with all previous, as well as all subsequent Instructions. The Order in Council, of itself, could not have furnished authority to the Governor to pass the Grants; but he must have been instructed to pass them conformably with that Order; and the 28th Section of the Instructions of 1769, expressly directs the reservations to be made conformable to the directions and conditions annexed to an Order in Council dated the 26th August, 1767.

The spirit of all the Instructions on this point was the same; and although some of the Grants may have been issued previous to 1769, it is not denied by the Committee that many passed after that date. The Grant from which my Extract was taken, is dated in 1774; but the reserves in all the Grants are expressed by the same words, and in exact conformity with the Order in Council in 1767, with

the directions which accompanied that Order, and with the Instructions in 1769—all of which, as has been already stated, emanated from the same authority, and were suggested by the same spirit and feeling.

4th. The Committee next assume that the settlement of the Colony with Foreign Protestants formed the principal object of the Crown, and then express their opinion, that "it never could have been the desire of the Imperial Government to force upon those settlers the Communion of the Church of England; on the contrary, it must be presumed, that, in encouraging the settlement of Foreign Protestants, it was the intention of the British Government to allow to the spiritual Pastors of those people the benefit of the Glebes reserved for Ministers of the Gospel, unless the term *Minister of the Gospel* be considered as solely applicable to Clergymen of the Church of England—an acceptance which your Committee would be very sorry to admit."

The Observations on the Report, by several gentlemen in Charlottetown, which I have the honor to submit to your Lordship, contain all that is necessary to be said respecting the assumption that the settlement of the Colony by Foreign Protestants was the principal object of the Crown.

I am very ready to admit, that it was not the desire of the Government to force upon those settlers the Communion of the Church of England, for such desire would have been as inconsistent with the feelings of the Government, and all former Instructions, as a disregard of the interest of the Church would have been.

Those Instructions uniformly contained the following directions—"You are to permit a liberty of conscience to all persons, so that they be contented with a quiet and peaceable enjoyment of the same, not giving offence or scandal to the Government." Here a limit is assigned to that liberty of conscience, without the least encouragement to those to whom it was granted to expect a share in the property allotted to the Church and its Ministers. Indeed, the direction to grant liberty of conscience was so placed in all the Instructions, as evidently to mark the difference between the establishment and special support designed for the Ministers of the Church, and the indulgence intended for all who did not belong to her Communion. The 28th Section of the Instructions of 1769, when duly considered, appears very sufficient for itself to prove that the Church, the Ministers of the Gospel, and the Glebes, were intended to be intimately and indissolubly connected. The Ministers there named are most evidently the Ministers of that Church, and the Glebes are expressly reserved for these Ministers.

This perhaps might be regarded as a sufficient refutation of the opinion expressed by the Committee, that it was the intention of the British Government to allow to the spiritual Pastors of the Foreign Protestants the benefit of the Glebes.

But more may be said upon this subject. These Foreign Protestants never came to the Island; and even if they had

arrived, and could have preferred any rightful claim to a share in the Glebes—which has been shewn to be impossible—no such claim could therefore have arisen on behalf of the various denominations of Dissenters who have settled in the Island.

These claims are represented by the Committee to have been so conflicting as to excite such jealousies and heart burnings, that the Legislature alienated the Lands instead of entertaining the claims, thus proving the claims themselves to be preposterous, or the admission of them impossible, while the Committee seem to impute to the Government of 1767 the absurdity of having laid the foundation for such preposterous and impossible claims.

There is an important fact, which may have been unknown or overlooked by the Committee, although it is well calculated to clear up any doubt, if it is possible that doubt can remain upon this subject.

Before the settlement of Prince Edward Island, several thousand Foreign Protestants—French and German—had been encouraged to settle in Nova Scotia. These chiefly belonged to those Churches on the Continent of Europe which have been regarded as Sister Churches by our own Communion. It has happened (as might have been thought probable at the time of their arrival), that a large portion of these Foreign Protestants have united with the Established Church. But others, who constituted a very large and respectable majority of the whole settlement in which they were placed, (as, particularly, at Lunenburg), have remained to the present day with their separate Pastors, in the communion of the Lutherans and Dutch Calvinist Churches. In Lunenburg, as in other Townships of Nova Scotia, a Glebe was reserved; but no claim to any portion of Glebe was ever preferred, nor, I believe, ever thought of, by Lutheran or Calvinist, either there or elsewhere; and that Glebe, like all others, remains, as it ever has been, the sole and undisputed property of the Established Church. It would, therefore, be strange indeed, if any claim could now be entertained on behalf of either German or French Protestants, and still more strange, on behalf of Dissenters from the Church, to Glebes in Prince Edward Island, reserved in obedience to the same or similar Instructions with those which had directed similar reservations in Nova Scotia.

5. I must now advert to that part of the Report which, although totally irrelevant to the main subject, seems to accuse me of asserting an untruth, or, at least, to impute to me a most gratuitous misrepresentation. My letter to the Archbishop of Canterbury contains the following passage:—"In the last Summer, I visited Prince Edward Island, and took some pains to ascertain, from individuals who concurred in passing the Act, both of the Council and of the House of Assembly, what other grounds were alleged for the measure."

The Report has the following reply—"The Committee of the House of Assembly deny that the Bishop of Nova Scotia, on his visit to the Island in 1836, ever had a

conversation with any member of that House, upon the Act in question, who had concurred in its passing, as asserted by his Lordship; but the Committee of the Council admit that his Lordship did converse on the subject with some of its Members who concurred in the measure.'

To any want of courtesy in this *denial* it would now be vain to object. The explanation, however, is easy. I was not aware of a recent dissolution of the House, and of the changes which this produced. I conversed with several Members, whose names I had seen in the debates in 1830, 1832 or 1834, when the addresses to the Crown were agreed upon; and as the Acts which followed may well be considered as grounded upon those addresses, the former House, as well as the latter, might not improperly be regarded as having concurred in passing that Act, even if I had known that the change had taken place.

The most remarkable feature in the case is, that the House was informed of this fact by some of its own Members, before the adoption of the Report; and to clear up all possibility of mistake, and set the matter right, the names of the former Members, with whom I had conversed on the subject, were unhesitatingly mentioned, as appears by a Report of the debate in the same *Gazette* in which the Report of the Committee was printed. The Committee, however, insisted on passing their Report, with this denial in it; and it was adopted by a majority of three to six.

6. I had said that "*many* of the Glebes were under improving Leases, which the clergy had been duly authorized to grant." The Report states—"such Leases were but few, and were granted by them in their capacity of *Conservators of Glebes only*, to which they were appointed by the Administrator of the Government." It is unnecessary to discuss the strict meaning of terms entirely relative—although I still think the term I used quite correct, if the circumstances of the Island, and the difficulty of finding good tenants there, be considered. But I might ask why the *Clergy* were appointed Conservators of Glebes? The Clergy were few in number, and, of all men in the Island, the most unfit to receive such appointments, *if the Glebes did not belong to the Church*. If they *did* belong to the Church, the clergy were certainly the proper persons to take charge of them; and accordingly the Administrator of the Government committed this charge to them, because no doubt of the claim of the Church to those lands was entertained when the lands were laid off by order of the Government, and the Conservators of them were appointed under the great seal of the Island.

7. The last observation which I have to make on the Report must be directed to the concluding part of it, which accuses me, with its usual irrelevancy to the *Church's claim to the Glebes*, of a 'disingenuous and unfair assertion.' I had stated, that 'on two of the Glebes burial places had long been used, and that these, with their dead bodies, were sold with the rest.' The Report states

—‘your Committee are not aware of more than *one* Glebe ‘which was so circumstanced.’

I received the intelligence from two individuals, in different parts of the Island, and therefore supposed that *two* Glebes were so circumstanced. I have had no opportunity of ascertaining whether this supposition was correct. But a single case of the kind is sufficiently revolting. A respectable Clergyman in the Island, to whom allusion was made in the Report, felt called upon to make a *public* statement of facts, relative to the sale of a Burial Ground within the limits of his mission. I can entertain no doubt of the accuracy of this statement, and therefore insert it in this place, as the best reply to so much of the Report as relates to this topic:—

“The part of the Report upon which I feel myself particularly called upon to remark is, that which relates to the sale of the Burial Ground on Lot No. 13, in which I am sorry to see they have deviated so far from the real facts of the case. The Committee state, ‘That the part ‘which has been used as a Burial Ground, with an addition of about four acres, was expressly *reserved*, at the ‘time of sale, and set up at the request of the Clergyman ‘of the Parish, for the sole purpose of obtaining a title, ‘and was bid in by him at the nominal price of Twenty ‘Shillings, being the first and only bid made therefor.’ That this statement is wide from the truth is well known to every person who was present at the sale, and to none better than to Mr. Pope, by whom the Report is subscribed. In the last place, I would ask the Joint Committee, by whom was this express reservation made?

“The Act makes no such reservation, and the Commissioners appointed to sell the Glebes, when applied to on the subject, expressly stated that they had no power to make such reservation. Had it been made by authority, of course it would not have been sold. All that the Commissioners could do, to preserve the dead from molestation, I am happy to say they cheerfully did, which was, to set up five acres, including all the graves, by itself, and then allow us to buy it in as cheap as we could. Instead of these five acres being *reserved*, as the Joint Committee would have us believe, they were set up, like all the other lands sold upon the occasion, for public competition; and instead of being bid in by me as the first and only bidder, I can assure the Joint Committee, that there were more bids for the Grave Yard than for a much larger tract, sold upon the same occasion to a private individual, and at a higher rate per acre.”

It is evident, from the general style of the Report, that I have been so unfortunate as to incur the displeasure of the Committee, and to this I must attribute the charges against me.

I regret the misfortune of this displeasure, because I have much esteem for several members of the Legislature, who have been well known to me for a long time; but I hope your Lordship will believe I am prepared to submit, without much emotion, to greater evils than even this mis-

fortune, if brought upon me by a steady and conscientious discharge of that which I believe to be my duty to God and to his Church.

Having now gone through the whole of the Report of the Joint Committee, I trust your Lordship will be satisfied that the three grounds upon which the justification of the Act of the Legislature of Prince Edward Island, which alienated all the Glebes, and the three Addresses from the House of Assembly to the Crown, which preceded the passing of the Act, has been rested, can afford them no support. First, the alleged impossibility of determining for what particular denomination of Christians the Glebes were intended by the Government; Secondly, the plea of impediment which these Reserves opposed to the cultivation of the Colony; and, Thirdly, the claim now set up on behalf of Foreign Protestants. I trust your Lordship will be satisfied that the original intention of the Government is clear and explicit, in sustaining the exclusive claim of the Established Church, and was universally so considered and acted upon until a very recent period; that no impediment, deserving of notice, could be opposed to the cultivation of the Colony, if such small portions as the Reserves (130 acres in each tract of 20,000 acres) had remained wholly unimproved; and that even if such impediment had existed, the alienation of the Land was the last remedy that should have been attempted in such a case; and, finally, that the claim now set up, on behalf of Foreign Protestants, who never went to the Island, is wholly without foundation; and that any pretence of Dissenters, grounded on such claim, are, if possible, still more extravagant.

I have, &c.

(Signed)

JOHN NOVA SCOTIA.

To the Right Hon.

Lord Glenelg, &c. &c.

No. 5.

DOCTORS' COMMONS,

1st November, 1838.

MY LORD;

We are honoured with your Lordship's commands, signified in your Lordship's letter of the 18th September last, stating, that in the month of April, 1834, an Address to the Throne was transmitted from the House of Assembly of Prince Edward Island, praying that the proceeds of certain Lands, reserved in that Colony for the support of Ministers of the Gospel, and Schoolmasters, should be applied exclusively to purposes connected with Education. In reply to this Address, Mr. S. Rice, in October, 1834, directed that the Lands in question, being at that time unproductive, and an impediment to cultivation, should be sold, reserving for future consideration the mode of investing and appropriating the proceeds. In April, 1835, a Bill was accordingly passed by the Legislature of Prince Edward Island, authorising the sale of these lands, but directing that the proceeds ‘shall be appropriated for the purpose of

'promoting general Education within this Island, in such manner and under such regulations as His Majesty, his Heirs or Successors, may hereinafter be pleased to pre-scribe or command'—That that Bill contained a clause suspending its operation until His Majesty's pleasure should be known—that it received His Majesty's special confirmation on the 28th April, 1836, and under its provisions the lands have since been sold—That early in the year 1835, before the Bill in question had reached this country, the Society for the Propagation of the Gospel communicated with Lord Aberdeen on the subject, and were informed by his Lordship, that although no intelligence of the introduction of that Bill had then been received, yet that if it should come home, it would be in the power of the Society to make any representation against its provisions which they might think necessary—That no such representation was made in 1836; but after the sale had been concluded, a letter was received from the Archbishop of Canterbury, inclosing a communication on the subject from the Bishop of Nova Scotia, the object of which was to shew, that the original title to the Glebe and School Lands in Prince Edward Island resided exclusively in the Church of England, and consequently that His Majesty's Government were bound, in equity, to appropriate the proceeds of the sale of those lands solely to Educational Establishments in connection with that Church.—That about the same time, an Address was received from the Assembly of Prince Edward Island, praying 'that the moneys arising from the sale of the Glebe and School Lands under the said Act, may be placed at the disposal of the Local Legislature, on condition that the annual payment of the legal interest thereof be secured, by permanent enactment, on the general Revenue of the Colony, and applied exclusively towards the support and encouragement of Elementary Schools.'—That in answer to the Address from the Assembly, your Lordship transmitted to the Legislature of Prince Edward Island a copy of the letter from the Bishop of Nova Scotia, requesting them to state whether they concurred in or dissented from the Bishop's conclusions, and, in case of their dissent, to explain the grounds on which they proceeded. The Joint Answer of the Council and Assembly, controverting the arguments of the Bishop of Nova Scotia, was received in the month of May last, and was referred to the Bishop, for his reply. That that reply reached your Lordship on the 25th of August. That your Lordship has since received a Petition from the Ministers and Elders of the Presbyterian Church in Prince Edward Island, on the subject of these lands.

Your Lordship is pleased to transmit to us copies of the letter from the Bishop of Nova Scotia to the Archbishop of Canterbury, dated the 16th March, 1837—of the remarks on that letter by both branches of the Legislature of Prince Edward Island—of the Bishop's Answer to those remarks—of the Petition from the Presbyterian community—and of the Order in Council, passed in 1767, for the Grants of

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Prince Edward Island, then called the Island of Saint John; and your Lordship is pleased to request, that we would take these papers into consideration, and, adverting to the arguments therein adduced—to the terms of the Order in Council of 1767—and to the extracts from the Instructions to the Governor of Prince Edward Island in 1769, quoted by the Bishop of Nova Scotia—that we would report to your Lordship our joint opinion, whether, as asserted by the Bishop of Nova Scotia, the title to the Church and School Lands, or to either, previously to the passing of the Act of 1835, resided exclusively in the Church of England, or whether—as maintained by the Colonial Legislature and the Presbyterian body—those lands were applicable, from the first, to the support of other Christian communities, as well as the Church of England.

In obedience to your Lordship's commands, we have taken these papers into consideration, and have the honor to report, that, in our opinion, the Churches and Ministers contemplated by the Order in Council of 1767, and the Royal Instructions of 1769, and referred to in the clauses of reservation in the various Grants of Lands, are Churches and Ministers of the Church of England only. The reference to the Book of Common Prayer—to the administration of the Sacrament, according to the rites of the Church of England—and to the general superintendence of the Bishop of London—appears to us to be conclusive on this point. It must, however, be remarked, that the mere reservation of the land by the Crown did not, of itself, give a title to the Church. Its effect was merely to keep the reserved property in the Crown, with the declared intention, however, of its being appropriated to the Church of the District, when such Church should be built. In all cases, therefore, where Churches have been, or shall be, built on the faith of such reservation, the Minister appears to us to have an equitable, if not a legal, title to the land reserved; but until a Church is built, no person has any title whatever against the Crown. The only title adverse to the Crown is the possible title of the Minister of the District for which the reservation was made, in case there ever should be such Minister; and not a title in the Church, considered abstractedly in the nature of a corporate body.

With respect to the Lands reserved for founding Schools, we do not think that the Church has any ground whatever to contend for a right to that land, or that the Crown is under any obligation whatever to confine the Schools to Schools for the benefit of persons in communion with the Church of England.

We should add, that, in giving this opinion, we assume that no appropriation has been made beyond the reservation in the different Grants.

We have, &c.

(Signed)

J. DODSON,
J. CAMPBELL,
R. M. ROLFE.

The Lord Glenelg.

APPENDIX

(B.)

[SEE PAGE 21.]

Message.

C. A. FITZ ROY, Lieutenant Governor.

The Lieutenant Governor lays before the House of Assembly, copies of several Despatches on the Fishery Reserves in this Island, adverted to in his Speech, delivered at the opening of the present Session; and as it is the determination of Her Majesty's Government to throw open these Reserves to all British Subjects engaging in the Fisheries, the Lieutenant Governor begs to suggest to the House of Assembly the propriety of their passing such Laws as may be deemed necessary "for preventing improvident and injurious practices in carrying them on," as recommended by Her Majesty's Secretary of State for the Colonies.

Government House, 29th January, 1839.

LIST OF PAPERS ACCOMPANYING THE LIEUTENANT GOVERNOR'S MESSAGE.

- No. 1. A COPY of a Despatch from Sir Charles A. Fitz Roy to Lord Glenelg, dated 8th January, 1838.
2. RETURN of the Reservations for carrying on a Fishery, contained in the Original Grants of the several Townships in Prince Edward Island.
3. RETURN of Licences granted of the Reserves contained in the Original Grants.
4. A COPY of a Despatch from Lord Glenelg to Sir Charles A. Fitz Roy, dated 10th May, 1838.
5. A COPY of a Despatch from Sir Charles A. Fitz Roy to Lord Glenelg, dated 26th July, 1838.
6. A COPY of a Despatch from Lord Glenelg to Sir Charles A. Fitz Roy, dated 14th September, 1838.

No. 1.

[*Separate.*]

GOVERNMENT HOUSE,

Prince Edward Island, 8th January, 1838.

MY LORD;

I REGRET to have to inform your Lordship, that, in addition to the question of Escheat, another fruitful source of agitation has recently arisen among the settlers in this Island, with reference to the Reserves for Fisheries contained in the original Grants. I therefore feel it necessary to lose no time in bringing this subject before your Lordship as clearly and concisely as lays in my power.

I would first call your Lordship's attention to the Order in Council under which the original Grants were issued. It is as follows :—

' That in order to promote and encourage the Fishery, for which many parts of this Island are conveniently situated, there be a clause in the Grant of *each Township* that abuts upon the seashore, containing a reservation of liberty to all His Majesty's subjects in general, of carrying on a free Fishery on the coasts of the said Township, and of erecting stages and other necessary buildings for the said Fishery within the distance of five hundred feet from highwater mark.'

I have inclosed, for your Lordship's information, a Return, shewing the several Reserves for this purpose, contained in the different Townships, from which it will appear that the reservation, as contemplated in the Order in Council, has been strictly followed in only twelve Town-

ships. In thirty-two Townships the reservation is as follows:—

‘ And further saving and reserving, *for the disposal of His Majesty, his Heirs and Successors*, five hundred feet from highwater mark, on the coast of the tract of land hereby granted, to erect stages and other necessary buildings for carrying on the Fishery.’

Of the remaining twenty-three Townships, *eighteen contain no Fishery Reservation*; and of five, no Grants whatever are on record.

By reference to a Plan of the Island, annexed to the Return, your Lordship will perceive, that several of the Townships which do contain reservations abut upon rivers only, or more strictly speaking, narrow arms of the Sea.

All the Islands on the coast contain reservations, agreeably to the Order in Council. The Proprietors have hitherto exercised acts of ownership over these Reserves, by including them in their Leases to their Tenants, or otherwise absolutely disposing of the fee simple with the adjacent lands. I should here observe, that most of the leases contain a clause subjecting the Tenants to all the conditions of the original Grants.

The Colonial Government has, in a few instances—in cases where *the reservation is to the Crown*—exercised authority over them, by granting Licences of Occupation in the terms of the Grant, to persons engaged in the Fisheries, as will appear by the Return inclosed.

Since my arrival in the Colony, I have taken upon myself to grant Licences of Occupation of these Reserves in two cases, where the applicants were *freeholders*, to the extent of the fronts of their farms. I have also had numerous applications made to me, very recently, by *Tenants*, for similar licenses; but, conceiving that these Licences were to be used with a view of defeating the Landlord's claim for rent, and not for the *bona fide* purpose of carrying on a Fishery, I have declined issuing any further Licences, until I receive your Lordship's instructions on the subject.

It is proper that I should call your Lordship's attention to a correspondence which took place between Mr. Robert Stewart, Lord Goderich, Lord Stanley, and Sir Aretas W. Young, on the subject of these Reserves, dated 22d March, 1833; 25th do., No. 17; 22d May, No. 48; 24th do., No. 49; 6th Nov., No. 6.

The records of this correspondence will, of course, be found in your Lordship's Office; but it may save some trouble, if I briefly recapitulate the most material points.

The first letter of this correspondence which appears on record here, is one from Mr. Robert Stewart, under date the 22d March, 1833, in which he agrees to accept a lease of

the Fishery abutting on this property, at a reasonable rate.

This letter is transmitted in a Despatch from Viscount Goderich to Sir A. W. Young, dated 25th March, 1833 (No. 17), wherein he is authorized ‘ to grant to Mr. Stewart, or to any other Proprietor similarly circumstanced, who may apply to him, a lease, on equitable conditions, of such portions of the space of five hundred feet above highwater mark, reserved to the Crown, as may border on the property of the persons applying to him.’

In reply, Sir A. W. Young, under date 22d May, 1833 (No. 48), and in a subsequent Despatch, of the same date (No. 49), to which I would especially call your Lordship's attention, explains why the Crown, in many cases, has not the power of granting Leases of these Reserves; and very forcibly states his reasons why it would be highly impolitic to grant Leases to the Proprietors, *were it even in its power* to do so, except for a very limited period,—and therefore took upon himself to suspend any finite measures on the subject till further orders were received.

The view Sir A. W. Young here takes of the case, met the approval of Lord Stanley, then Secretary of State, who, in a Despatch, dated 6th November, 1833 (No. 6), thus expresses himself:—‘ I have the honor to convey to you my approbation of your decision, under the circumstances stated by you, to suspend the execution of the Earl of Ripon's instructions on this subject.’

The question of these Reserves has latterly been much and frequently discussed throughout the Island, and has been the main subject of more than one public meeting, in which the determination I have come to, not to grant any further Licences until I receive your Lordship's commands, has been the cause of some animadversion.

As the applications for Licences are likely to be renewed, and with more plausibility, at the commencement of the Fishing season, in May, I would take the liberty of requesting your Lordship's instructions, at your earliest convenience; but I would, at the same time, press upon your Lordship's attention the impolicy, under any circumstances, of relinquishing those Reserves which are in the Crown to the Proprietors, as I am firmly convinced such a measure would not only tend to increase the present excitement against the Proprietors themselves, but also to weaken the strong attachment now felt by the Colonists to the Mother Country.

I have, &c.

(Signed) CHAS. A. FITZ ROY,

Lt. Governor.

The Right Honorable

Lord Glenelg, &c. &c.

No. 2.

**RETURN OF THE RESERVATIONS FOR CARRYING ON A FISHERY
CONTAINED IN THE ORIGINAL GRANTS OF THE SEVERAL TOWNSHIPS
IN PRINCE EDWARD ISLAND.**

| No. of Township. | BY WHOM GRANTED. | NATURE OF RESERVE. | REMARKS. |
|------------------|--|---|---|
| 1 | Lord William Campbell, Governor of Nova Scotia. | " And further saving and reserving, for the disposal of His Majesty, his Heirs and Successors, 500 feet from Highwater mark, on the Coast of the Tract of Land hereby granted, to erect Stages and other necessary Buildings, for carrying on the Fishery." | |
| 2 | Walter Patterson, Lieut. Governor of P. E. Island. | " And further saving and reserving a free liberty to all His Majesty's subjects, of carrying on a free Fishery or Fisheries, on any part or parts of the Coast of said Township, and of erecting Stages and other necessary Buildings, for the said Fishery or Fisheries, within the distance of 500 feet from Highwater mark." | |
| 3 | Lord William Campbell, Governor of Nova Scotia. | Reservation the same as Township No. 1. | |
| 4 | " " | " " | |
| 5 | " " | " " | |
| 6 | " " | No Reservation in Original Grant. | |
| 7 | " " | Reservation the same as Township No. 1. | |
| 8 | No Grant on Record. | | |
| 9 | Edmund Fanning, Lt. Governor of P. E. Island. | Reservation the same as Township No. 1. | |
| 10 | Walter Patterson, Lt. Governor of P. E. Island. | Reservation the same as Township No. 2. | |
| 11 | Lord William Campbell, Governor of Nova Scotia. | No Reservation in Original Grant. | |
| 12 | No Grant on Record. | | |
| 13 | Michael Franklin, Lt. Governor of Nova Scotia. | Reservation the same as Township No. 1. | |
| 14 | Lord William Campbell, Governor of Nova Scotia. | " " | |
| 15* | Walter Patterson, Lt. Governor of P. E. Island. | Reservation the same as Township No. 2. | * Escheated, and regranted in small quantities, with no Reservation for Fisheries. |
| 16 | " " | " " | |
| 17 | Lord William Campbell, Governor of Nova Scotia. | No Reservation in Original Grant. | |
| 18 | " " | Reservation the same as Township No. 1. | |
| 19 | Lord William Campbell, Governor of Nova Scotia; and P. Callbeck, Lieut Governor of P. E. Island. | Reservation the same as Township No. 2. | Grant from Lord William Campbell, dated 24th June, 1769. Do. from Philip Callbeck, dated 24 February, 1777. |
| 20 | No Grant on Record. | | |
| 21 | Walter Patterson, Lt. Governor of P. E. Island. | Reservation the same as Township No. 2. | |
| 22 | Edmund Fanning, Lt. Governor of P. E. Island. | Reservation the same as Township No. 1. | |
| 23 | Walter Patterson, Lt. Governor of P. E. Island. | Reservation the same as Township No. 2. | |
| 24 | Lord William Campbell, No Grant on Record. | Reservation the same as Township No. 1. | |
| 25 | Lord William Campbell, Governor of Nova Scotia; and Walter Patterson, Lt. Governor of P. E. Island. | No Reservation in Original Grant. | |
| 26 | Lord William Campbell, Governor of Nova Scotia; and Walter Patterson, Lt. Governor of P. E. Island. | Reservation the same as Township No. 2. | Grant from Lord William Campbell, dated December 31, 1768. Do. from Walter Patterson, dated Oc- tober 5, 1769. |
| 27 | Lord William Campbell, Governor of Nova Scotia ; | No Reservation in Original Grant. | |
| 28 | " " | " " | |
| 29 | " " | " " | |
| 30 | " " | Reservation the same as Township No. 1. | |
| 31 | " " | No Reservation in Original Grant. | |
| 32 | " " | " " | |
| 33 | " " | Reservation the same as Township No. 1. | |
| 34 | " " | " " | |
| | and Walter Patterson, Lt. Governor of P. E. Island. | Reservation the same as Township No. 2. | Grant from Lord William Campbell, dated Dec. 31, 1768. Do. from Walter Patterson, dated Octo- ber 5, 1769. |
| 35 | Lord William Campbell, Governor of Nova Scotia. | Reservation the same as Township No. 1. | |

| No. of Township. | BY WHOM GRANTED. | NATURE OF RESERVE. | REMARKS. |
|------------------|--|---|--|
| 36 | Lord William Campbell, Governor of Nova Scotia. | Reservation the same as Township No. 1. | |
| 37 | " " | " " | |
| 38 | " " | " " | |
| 39 | " " | " " | |
| 40 | " " | " " | |
| 41 | " " | " " | |
| 42 | " " | " " | |
| 43 | Walter Patterson, Lt. Governor of P. E. Island. | Reservation the same as Township No. 2. | |
| 44 | No Grant on Record. | | |
| 45 | Walter Patterson, Lt. Governor of P. E. Island. | Reservation the same as Township No. 2. | |
| 46 | No Grant on Record. | | |
| 47 | Walter Patterson, Lt. Governor of P. E. Island. | Reservation the same as Township No. 2. | |
| 48 | Lord William Campbell, Governor of Nova Scotia. | No Reservation in Original Grant. | |
| 49 | " " | " " | |
| 50 | " " | Reservation the same as Township No. 1. | |
| 51 | " " | " " | |
| 52 | " " | No Reservation in Original Grant. | |
| 53 | Walter Patterson, Lt. Governor of P. E. Island. | Reservation the same as Township No. 2. | |
| 54 | Lord William Campbell, Governor of Nova Scotia. | Reservation the same as Township No. 1. | |
| 55 † | " " | " " | † Escheated, and regranted in small quantities, with no Reservation for Fisheries. § Grant from Lord William Campbell, dated Aug. 9, 1769. Do. from Edmund Fanning, dated October 9, 1804. |
| 56 § | " " | " " | |
| 57 | Lord William Campbell, Governor of Nova Scotia. | No Reservation in Original Grant. | |
| 58 | " " | " " | |
| 59 | Walter Patterson, Lt. Governor of P. E. Island. | Reservation the same as Township No. 2. | |
| 60 | Lord William Campbell, Governor of Nova Scotia. | No Reservation in Original Grant. | |
| 61 | Edmund Fanning, Lt. Governor of P. E. Island. | Reservation the same as Township No. 1. | |
| 62 | Lord William Campbell, Governor of Nova Scotia. | " " | |
| 63 | Michael Franklin, Lt. Governor of Nova Scotia. | " " | |
| 64 | Lord William Campbell, Governor of Nova Scotia. | " " | |
| 65 | " " | No Reservation in Original Grant. | |
| 66 | Walter Patterson, Lt. Governor of P. E. Island. | " " | |
| 67 | Lord William Campbell, Governor of Nova Scotia. | " " | |

No. 3.

**RETURN OF LICENSES GRANTED IN PRINCE EDWARD ISLAND,
OF THE RESERVES CONTAINED IN THE ORIGINAL GRANTS OF THE
TOWNSHIPS THEREOF, FOR CARRYING ON FISHERIES.**

| DATE. | BY WHOM GRANTED. | TO WHOM. | NATURE OF LICENCE. |
|-------------------|--------------------------|-----------------------|--|
| 20th April, 1814. | Lt. Governor Smith. | Alex. Le Seur. | " To hold, occupy and enjoy, a piece of Ground called <i>Orby Head</i> , on Township No. 24, 500 feet from highwater mark, and extending along the coast 35 chains, for so long a time as the said Alexander Le Seur shall carry on a Fishery." |
| 22d July, 1820. | Ditto. | Richard Rollings. | " Given, granted and confirmed to Richard Rollings, his Heirs and Assigns, for ever, subject to the conditions and reservations mentioned in His Majesty's Royal Instructions, relating to Fisheries to be carried on upon the coasts of the said Island—the same to be kept and performed by the said Grantee, his Heirs and Assigns, during the continuance of this Grant. |
| 23d April, 1829. | Lt. Governor Ready. | Geo. Clark & another. | " To hold, occupy, possess and enjoy a part of the shore of <i>Peter's Island</i> , Rustico, extending back 500 feet, as a place for carrying on a Fishery, so long as the said George Clark and another, their Heirs and Assigns, shall actually carry on and conduct a Fishery on the said premises—to cease, determine, and be void, if they shall cease from so carrying on or conducting the same for a longer period than Eight months at any one time." |
| 3d Feb. 1832. | Lt. Governor Young. | Benjamin Bass. | The same tenor, and under the same conditions as the foregoing, to Clark and another— $\frac{1}{2}$ acres on Township No. 45. |
| 4th July, 1837. | Sir Charles A. Fitz Roy. | Charles Davy. | Ditto, Ditto, |
| " " | Ditto. | David Hugh. | 17 chains of the coast of Township No. 64, being the front of his farm—a freehold. Ditto, Ditto, 11 chains of ditto, being as above. |

No. 4.

No. 43.

DOWNING STREET,
10th May, 1838.

SIR;

Your Despatch of the 8th of January last, marked "Separate," relative to the applications which have at different times been addressed to the Crown and the local Government, for Grants of the Reservations on the Sea coast of Prince Edward Island, reached me on the 25th ultimo.

I have not failed to devote my serious attention to this important subject, and to review the correspondence of my predecessors regarding it—and I beg to express my thanks for the perspicuous manner in which, in your Despatch, you have brought it before me.

It appears to me that the reservations made of lands adjacent to the Sea coast, or to the shores of Inlets from the Sea, for the purpose of Fishing, so far as the right has been reserved to the Queen's subjects collectively, constitute a property over which the power of the Crown is exceedingly questionable. These lands would appear to have been dedicated to the use of the public for this special purpose, and that dedication of them seems to be irrevocable; but in cases where the lands have been reserved to the Crown, they must be considered as forming part of the Territorial Revenue, which should be employed in the public service, in whatever manner may be most compatible with a prudent and economical use of them. I am of opinion that such reserved lands ought not to be alienated in perpetuity, or for any considerable length of time, but that they should be put up for Auction, at a fair upset price, to be let, either for each Fishing season, or at most for one or two seasons in advance; or, if the demand of a rent would impede the Fisheries of the Island, then that they should be thrown open to all British subjects engaging in those Fisheries, which might be regulated by such Laws as might be found necessary for preventing improvident and injurious practices in carrying them on. I concur with you and with Sir Aretas W. Young, in deprecating any such disposal of these lands as would secure to the Proprietors or Tenants of the adjacent soil, the exclusive possession of those facilities which are necessary for engaging in the Fisheries of Prince Edward Island.

I have, &c.

(Signed)

GLENELG.

Sir Charles A. Fitz Roy, &c. &c.

No. 5.

No. 27.

GOVERNMENT HOUSE,
Prince Edward Island, 26th July, 1838.

MY LORD;

I have the honour to acknowledge the receipt of your Lordship's letter, of the 10th of May last (No. 43), replying to my Despatch of the 8th of January, on the subject of the Fishery Reserves on the shores of this Island.

With reference to your Lordship's suggestion, that in cases where these Reserves remain in the power of the Crown, they should either be put up to Auction, at a fair upset price for each Fishery season, or at most for one or two seasons in advance, or thrown open to all Her Majesty's subjects engaging in these Fisheries, I would strongly recommend that they should be thrown open to all Her Majesty's subjects engaging in the Fisheries, which would place them on the same footing as the other Reservations on the Sea coast of the Island, and fulfil the evident intentions of the Royal Instructions, of the 4th August, 1769. I am of opinion, that the leasing of these reservations, even for a short period, would be a considerable impediment to the Fisheries of the Island---while such a measure would cause a very trifling increase to its Revenue. Should your Lordship approve of my recommendation, I beg to suggest that I may be authorized to give publicity to this decision of Her Majesty's Government, taking care, of course, to place the Reservations now in question, under the same conditions and restrictions as those which have always been reserved for the use of all British subjects engaged in the Fisheries.

I have, &c.

(Signed)

CHAS. A. FITZ ROY,

Lt. Governor.

The Right Honorable Lord Glenelg, &c. &c.

No. 6.

No. 66.

DOWNING STREET,
14th September, 1838.

SIR;

I have received your Despatch (No. 27), of the 26th of July, recommending the adoption of the alternative suggested in my Despatch, of the 10th May last (No. 43), of throwing open the Fishery Reserves on the shores of Prince Edward Island to all British subjects engaging in the Fisheries.

I have to convey to you my authority for carrying this measure into effect, in the manner which you propose.

I have, &c.

(Signed)

GLENELG.

Lt. Governor Sir Chas. A. Fitz Roy, &c. &c.

APPENDIX

(C.)

[SEE PAGE 28.]

Message:

CHARLES A. FITZ ROY, Lieutenant Governor.

The Lieutenant Governor lays before the House of Assembly, the copy of a Despatch from the Right Honorable Lord Glenelg, dated the 15th September last, suggesting several amendments to the Act passed last Session, "for regulating the several Jails within this Island, and establishing Prison Discipline therein;" and transmitting, for the convenience of reference, a copy of the Imperial Act, 4 Geo. 4, cap. 64.

The Lieutenant Governor also lays before the House, for their information, copies of the Reports of the Visiting Magistrates for the different Jails throughout the Island.

Government House, 2d February, 1839.

LIST OF PAPERS ACCOMPANYING THE LIEUTENANT GOVERNOR'S MESSAGE.

- No. 1. Despatch from Lord Glenelg to Sir Charles Augustus Fitz Roy, suggesting certain alterations in the Act for regulating Jails in this Island, dated 15th September, 1838.
2. Report of the Visiting Magistrates of Charlottetown Jail, dated 30th April, 1838.
3. Report of ditto, dated 4th June, 1838.
4. Report of ditto, dated 1st January, 1839.
5. Report of the Visiting Magistrates of Georgetown Jail, dated 31st August, 1838.
6. Report of ditto, dated 30th November, 1838.
7. Report of the Visiting Magistrates of St. Eleanor's Jail, dated 1st October, 1838.
8. Report of ditto, dated 1st January, 1839.
9. Presentment of the Grand Jury of Queen's County, dated 5th January, 1839.

No. 1.

No. 67.

DOWNING STREET,
15th September, 1838.

SIR;

I HAVE had under my consideration the Act passed by the Legislature of Prince Edward Island, on the 7th April last, "for regulating the several Jails within the Island, and establishing Prison Discipline therein."

On comparing the provisions of this Act with those of the English Jail Act of 1823, I find that many important regulations, contained in the latter, have not been adopted

by the Island Legislature, and I shall therefore abstain from advising Her Majesty to assent to this Act, until the Council and Assembly shall have had an opportunity of considering the amendments which the Law seems to require.

I proceed to point them out, and I enclose, for the convenience of reference, a copy of the Imperial Act 4 Geo. 4, cap. 64.

1. It should be imperative on the Keeper of a Prison, when visiting Female Prisoners, to be always accompanied by the matron, or, in her unavoidable absence, by some Female Officer of the Prison (Rule 3, p. 776.)

2. The classification of the Prisoners should be carried still further. For instance, care should be taken that persons committed on charge or suspicion of Felony be invariably kept apart from persons committed on charge or suspicion of misdemeanors and minor offences; and a like separation should be enforced of persons convicted of Felony, from those convicted of misdemeanors. Witnesses should also be kept apart from all other Prisoners. (Rule 6, p. 776.)

3. Provision should be made for the regular employment of convicted and other Prisoners. On this head the Act is silent. (Rules 5 and 8, p. p. 776—777. Also, sec. 37 and 38, p. 789.)

4. The regulations with regard to the food, bedding, clothing and cleanliness of Prisoners, should be more explicit and stringent. (Rules 13, 14, 17, 18 and 19, p. p. 777, 8, 9.)

5. Provision should be made for the performance of religious services, by a Chaplain, or other appointed Officer. (Rules 9, 10, p. 777. Also, sec. 30, 31 and 34, p. 780, 787, 788.)

6. The means of instruction ought to be afforded to the prisoners, and enforced. (Rule 10, p. 777.)

7. Garnish money should be strictly prohibited. (Rule 23, p. 779.)

8. Copies of Rules and Regulations should be exhibited, in conspicuous places, in every Prison, for the information of the Prisoners. (Sec. 12, p. 780.)

I have the honor to be, Sir,

Your most obedient humble servant,

(Signed) GLENELG.

Lt. Governor

Sir Charles A. Fitz Roy, &c. &c.

No. 2.

REPORT OF THE VISITING MAGISTRATES OF CHARLOTTE-TOWN JAIL.

To His Excellency Sir CHARLES AUGUSTUS FITZ ROY, K. H., Lieutenant Governor of Prince Edward Island.

SIR ;

The Legislature, by the late Act for establishing a system of Prison Discipline in the Jails of this Island, having adopted such minute and judicious regulations for that purpose, renders it unnecessary for us to enter into the respective merits of the different systems which have been recommended or introduced in other countries.

While the Act referred to recognizes the punishments of the Prisoner, it devises with anxious care the means apparently the best adapted for his moral improvement.

With this view, the Government has adopted so much of that system which requires the separation and classification of the Prisoners, as appeared practicable in the present building, and which has been reduced to practice

on a more extensive scale, with much success, both in England and the United States. Your Excellency must be aware, that carrying the views of the Legislature into effect, some alterations must be necessary in the arrangements of a building erected without reference to an improved system of Prison Discipline; and in calling your Excellency's attention thus early to some of the most striking difficulties under which the present management of the Jail is labouring, we have done so under the conviction that no improvement in the system can be effected without their immediate removal.

We therefore beg leave to report to your Excellency, that the following additions and alterations are requisite, and recommend their adoption without delay:

1st. That we consider the present Jail allowance of 1 lb. of biscuit per diem, to Criminals, insufficient, and that an addition of $\frac{1}{4}$ lb. of Oatmeal, with a suitable quantity of Molasses, ought to be added to each day's allowance.

2d. That a Matron should be permanently appointed to superintend the Female Prisoners, in terms of the 2d Section of the Act.

3d. That a piece of ground at the North end of the Jail should be enclosed, for the purpose of allowing the Female Prisoners to take air and exercise, and appropriated solely to their use.

4th. That 2 Solitary Cells, with small windows, should be made in room No. 8. A Partition and Door in No. 7. An outer Door and Porch, to connect No. 7 with the enclosure referred to in No. 3. Four sleeping Cells in No. 9. A Partition to divide the present Solitary Cell into two apartments, and a partition with door to divide the passage below.

5th. That it appears necessary that Debtors and Criminals should have separate Yards, for taking air and exercise; and for that purpose the remainder of the ground which surrounds the Jail should be enclosed.

6th. That a sufficient number of Bibles should be ordered for the use of the prisoners.

We trust that these suggestions will meet your Excellency's approval, and

Have the honor to be, Sir,

Your Excellency's most obedient servants,

J. M. HOLL,

WM. MACINTOSH.

Charlottetown, 30th April, 1838.

No. 3.

ADDITIONAL REPORT OF THE VISITING MAGISTRATES OF CHARLOTTETOWN.

To His Excellency Sir CHARLES AUGUSTUS FITZ ROY, K. H., Lieut. Governor of P. E. Island.

SIR ;

In our Report of the 30th April, recommending certain alterations in the Jail, we find, after having received an estimate for the same, that the funds voted by the

House of Assembly were insufficient to accomplish the object. We, therefore, have revised our former Report, and beg leave to restrict the same at present to the articles which we have annexed, and which are contained in the estimates herewith transmitted.

We take this opportunity also to call your Excellency's attention to the section of our former Report respecting an addition to the Prison allowance of Food, which we have no doubt you will order to be carried into effect without delay.

We have the honor to be, Sir,

Your Excellency's most obedient Servants,

WM. MACINTOSH,
J. M. HOLL.

Charlottetown, 4th June, 1838.

No. 4.

REPORT OF THE VISITING MAGISTRATES OF CHARLOTTE-TOWN JAIL, 1st JANUARY, 1839.

To His Excellency SIR CHARLES AUGUSTUS FITZ ROY, K. H., Lieutenant Governor of P. E. Island.

SIR;

Having been appointed by your Excellency Visitors of the Jail in this Town, for the purpose of carrying the intentions of the new Jail Act into effect, we made a careful examination into the state of the Prison, the result of which was detailed in a Report, which we had the honor to transmit to your Excellency on the 28th April last.

At that period there were in the Jail 18 Debtors, 3 Male and 2 Female Prisoners; and in order to fulfil the design of the Legislature, it was necessary for us to recommend that considerable alterations should be made in the arrangements of the Jail. Your Excellency having approved of these alterations, we have much pleasure in stating that they are now completed, and the new system of Prison Discipline is in operation.

The principal points to which we then directed your Excellency's attention were—

1st. A small additional allowance of Food to the Prisoners.

2d. That a Matron should be appointed to superintend the Female Prisoners.

3d. That a piece of ground at the North end of the Jail should be enclosed, for the purpose of allowing Female Prisoners to take air and exercise.

4th. That 2 Solitary Cells, and 4 small Sleeping Cells should be constructed, with a partition wall to divide the present Cell into two apartments.

5th. That a sufficient number of Bibles should be ordered for the use of the Prisoners.

Lastly. That a set of Books for recording the transactions of the Jail should be ordered.

We beg to remind your Excellency, that in confining our report to the above alterations, we were quite aware that much more was necessary, to carry out fully the intention of the Legislature; but as the funds did not warrant a greater outlay, we necessarily confined our attention to those arrangements which were more immediately required.

The additional allowance of Food which has been ordered for the Prisoners was absolutely necessary, and has been gratefully received by them, while the appointment of a Matron was so much needed, that the duties of that office had in point of fact been previously performed by the Jailer's wife, with much credit to herself, and without any prospect of remuneration.

The Female Prisoners having now a separate airing ground for themselves, are removed from temptations, the evil consequences of which, while intermingled with the Male Prisoners, required the utmost vigilance of the Jailer to prevent.

The Cells for solitary confinement, and the separate sleeping apartments, were also indispensable, without which, indeed, no system of Prison Discipline could be enforced.

In looking forward to further improvements, we trust that provision will be made by the Legislature for enclosing another piece of ground, in order that Debtors and Criminals may be completely separated. We would also respectfully recommend that some steps should be taken to obtain Divine Service for the Prisoners once a week.

We might suggest to your Excellency many rules of Discipline which are deemed necessary for the Jails at home; but, while we are satisfied with the practical working of the present rules, we would question very much the policy of accumulating regulations, which, however requisite in crowded Jails, are not essentially necessary for the state of crime here.

We have much satisfaction in reporting to your Excellency, that on the 28th June last (the day of the Coronation of our Gracious Sovereign), the doors of the Prison were thrown open, on which occasion 5 Criminals received your Excellency's pardon, 4 Debtors were discharged in consequence of their Debts being paid by public subscription, and the fifth through the benevolence of a private individual, who paid the claims against him.

There are at present only one Male and two Female Prisoners in the Jail.

In reviewing our proceedings for the past year, we have to acknowledge the assistance we have received from your Excellency in the discharge of our duties, and the frank and ready communications with which you have been pleased to honor us when any difficulty occurred. We also feel it a duty to notice the attention

paid by Dr. De St. Croix to the patients under his charge.

We have the honor to be, Sir,
Your Excellency's most obedient,
humble servants,
J. M. HOLL,
W. M. MACINTOSH.

P. S.—We must not omit, that we have much reason to be satisfied with Mr. Hutchinson's (the Jailer) attention to his duties, and his general good conduct.

No. 5.

REPORT OF THE VISITING MAGISTRATES OF GEORGETOWN JAIL.

Georgetown, August 31st, 1838.

SIR;

We the undersigned Magistrates, appointed to visit the Jail at Georgetown, beg to submit to His Excellency the Lieutenant Governor the following Report; and in doing so, they have much pleasure in being able to state, that during the last quarter, or rather since their appointment as Visiting Magistrates, no Prisoners have been in confinement for criminal offences, and that two persons for small debts (and one of them for the short period of 8 days,) have been the only Prisoners in confinement during that time.

That on the 14th of June, we examined the building, rooms, cells, bedding, &c. there being no Prisoners in confinement: the Rooms and Cells were clean, but the walls much discoloured with smoke, and the bedding much worn, and required washing and mending.

We deemed it necessary that the Rooms and Cells should be whitewashed, and the bedding washed and repaired, and gave directions that such should be done.

Only two of the Cells are finished, and fit for the reception of Prisoners, and those are in the front of the building, where persons sentenced to solitary confinement (if any such there should be,) could not be prevented from conversing with persons outside.

We therefore humbly beg to suggest to His Excellency the Lieutenant Governor the propriety of having all the Cells finished, and the inside of the Jail painted.

On the 17th of July we again visited the Jail; found it clean and the walls whitewashed, and one person, John Murphy, in confinement for small Debt.

On the 22d July, at the request of the Jailer, Mr. Mackay visited the Jail, to inquire into the circumstances of John M^r Isaac, a debtor, confined under a Capias Execution, issued by W. B. Aitken, Esq., J. P., when it was ascertained that the said debtor was without means to support himself in prison, and it was deemed necessary that the Prison allowance should be furnished to him, with the addition of porridge for breakfast, which the Jailer was directed to supply.

We again visited the Jail on the 14th of August; examin-

ed the Rooms and Cells, and directed the Jailer to be attentive in having them kept clean, and in every particular to attend to the requirements of the Act of the Legislature respecting Prison Discipline.

All which we beg to submit.

THOMAS OWEN,
WILLIAM MACKAY.

No. 6.

REPORT OF THE UNDERSIGNED MAGISTRATES, APPOINTED TO VISIT THE JAIL AT GEORGETOWN, IN KING'S COUNTY.

Georgetown, November 30th, 1838.

We the Magistrates appointed to visit the Jail in Georgetown, in making our Report for the quarter ending this day, beg to submit to His Excellency the Lieutenant Governor the following:—

That on the 13th and 22d of September we visited the Jail, and examined the different Rooms and Cells, and impressed upon the Jailer the necessity of keeping every part of it clean and in proper order. On the 18th of October, we again visited the Jail, at the request of the Jailer, he having the day previous received Tom Williams, an Indian, committed by the Coroner, charged with the crime of Murder; and the said Tom Williams having been delivered in the Jail in an unclean state, in irons, and with barely sufficient clothing to cover him, we deemed it prudent and necessary to direct the tattered clothes he had on to be destroyed, and a coarse Jacket and Trousers, and two Shirts, to be provided for him, and directed the Jailer to insist on the man using every means to effect cleanliness, and that he be freed from his irons.

Contracted this day for the lining of the two Cells in the rear of the lower story, for the sum of £15, as authorised by His Excellency the Lieutenant Governor.

On the 27th we were again called upon to visit the Jail, in consequence of John Murphy, a prisoner, confined for debt, being dangerously ill. This prisoner is an old infirm man, who has been receiving the Jail allowance since he was confined, from his inability to provide for his subsistence, and who appeared exceedingly ill and exhausted from a severe cough and fever.

We directed that Medical aid be obtained, and that proper care and nourishment be provided for him as speedily as possible.

November 10th, we visited the Jail, Cells, &c. &c. and found them clean and in order, but Murphy still confined to his bed and very unwell.

We this day visited the Jail, and examined the rooms, cells, &c. John Murphy, though somewhat recovered, remains still unwell. Tom Williams for some time past has given indications of a deranged intellect, and on opening his cell this day, he appeared at the door armed with a piece of firewood, rose for the purpose of striking, but on his recognizing the Magistrates he seemed

ashamed, and on being informed that if a similar attempt was again made, that he would be put in irons, he appeared to comprehend, and promised a different line of conduct.

During the last quarter, four persons have been in confinement for short periods for debt, and four seamen have been confined one week each, for neglect of duty.

In submitting the foregoing statement, for the information of His Excellency the Lieutenant Governor, the undersigned feel gratified that during the period to which it refers, no person has been committed for or charged with a criminal offence in the County (except the unfortunate Indian before alluded to).

THOMAS OWEN,
WILLIAM MACKAY.

No. 7.

ST. ELEANOR'S, October 1st, 1838.

SIR,

For the information of His Excellency the Lieutenant Governor, we beg leave to report, in reference to the Jail at this place, that during the Quarter just past, there have been no prisoners committed, as far as our information extends.

We have further to state, that the internal regulations of the Jail are such as to merit our entire approbation.

We have, &c.

(Signed) SAMUEL GREEN,
WILLIAM SCHURMAN,
Visiting Magistrates.

J. P. Collins, Esq., Colonial Secretary.

No. 8.

ST. ELEANOR'S, January 1st, 1839.

SIR,

We the undersigned beg to submit the following as our Report, for the information of His Excellency, of the state of the Jail, &c. at St. Eleanor's, for the Quarter ending 31st December, 1838.

Joseph Goody, sentenced October 3d, by Supreme Court, for three months, for Felony.

October 4th—Edward Briant, on execution by C. Pope, Esq. for £1 9s. 4d., discharged, debt satisfied October 20th.

October 21st—Cath. Macdonald, Marian Macdonald, and Angus Macdonald, committed for Sheep stealing by John Wright, Esq.

October 23th—The three Macdonalds liberated on bail by John Wright, Esq. There is no person in Jail now except Joseph Goody, whose time will expire to-morrow.

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And we beg leave further to state, that the said Jail has been conducted to our satisfaction up to this date.

SAMUEL GREEN, J. P.
WM. SCHURMAN, J. P.

To J. P. Collins, Esquire.

No. 9.

To the Chief Justice of the Supreme Court.

My Lord,

Having in discharge of our duty deemed it necessary to inspect the Jail, we feel sincere gratification in being able to approve of the state in which it is kept, and of the judicious alterations lately recommended by the Visiting Magistrates, many of which are now completed. We feel it a duty incumbent on us, in reference to these alterations, to notice the warm zeal and interest which His Excellency the Lieutenant Governor has shewn, not only in providing the best information on the subject, but in his unwearied attentions to the improvement of the Jail.

We particularly approve of the strict regulations for the separation of the male and female prisoners, and of the plan now completed for allotting a separate airing ground for each class—and as we understand that a recommendation has been made by the Visiting Magistrates to effect a separation between the debtors and criminals, also by affording to each a separate yard, we trust that the Legislature will provide the necessary funds to carry this alteration into effect without delay.

The regulations adopted for the separation of the Prisoners, before and after trial, also meets with our entire approbation; and we have every reason to be satisfied with the attention of the Jailer, in performing his important duties.

We would, however, strongly recommend that some more efficient system of religious instruction, for the benefit of the prisoners, should be adopted, by performing religious service in the Jail once every week; and as the prisoners belong to various religious denominations, we would respectfully recommend that instead of the Chaplain being selected exclusively from the Church of England, the Visiting Magistrates should be empowered and directed to obtain the religious services of the different Clergymen of this town, in order that this important duty may not be neglected.

For self and fellows,

DONALD MACDONALD,
Foreman.

Grand Jury Room, 5th January, 1839.

A true Copy,

DANIEL HODGSON, Protonotary.

APPENDIX

(D.)

[SEE PAGE 33.]

LIST OF DOCUMENTS CONTAINED IN APPENDIX (D.)

- No. 1. REPORT of the Visiter of District Schools, dated March 31, 1838.
2. REPORT of the Visiter of District Schools, up to January 1, 1839.
3. SUMMARY of the state of the District Schools throughout the Island, embraced in the Report of the Visiter, dated January 1, 1839.
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No. 1.

Report of the Visiter of the District Schools of Prince Edward Island, March 31st, 1838.

To the Members of the Board of Education, Charlottetown:

Gentlemen;

I HAVE the honour of submitting to you, in the following abstract, a view of the state of the District Schools throughout the Island.

Having, in my first Report, laid before you all the information which I could collect upon the state of Education generally, and so short a space of time having since elapsed (during which, however, I was happy to observe a marked improvement in the state of several Schools,) I have now but little new or interesting to communicate on the subject. In several Districts where heretofore but little interest has been evinced in educating the rising generation, I found several good Schoolhouses in the course of erection, and an anxious desire on the part of the inhabitants to procure the services of qualified and efficient Teachers.

QUEEN'S COUNTY.

Lot No. 34, St. Peter's Road.

ROBERT ROBERTSON, Teacher, Jan. 10th, 1838.—Visited this School to-day; the number of Scholars on the Teacher's list is 45, of whom 35 were present. A class of 15 read in the Introduction to the English Reader with much correctness. 24 writers were present, and 20 in Arithmetic. In all the branches taught at this school considerable improvement was apparent in those children whose attendance had been most regular. In writing, very great proficiency had been made; and a class of 6, who were examined upon Arithmetic, shewed a correct and accurate

knowledge of the most useful rules of that branch. The method of teaching pursued in this School is good, the children being classed together according to their several capacities and the progress they make, and all well exercised upon the meaning of the different words and passages they read, and much care is bestowed upon their acquiring a just pronunciation; and the good order and discipline which prevails in the school tends greatly to facilitate the progress of the scholars. The Schoolhouse is commodious and sufficient.

Lot No. 32, Dog River District School.

MALCOLM DARRACH, Teacher, Jan. 5.—The number attending this School is 45, all of whom were present. The greater number of these had made rapid progress, since their last examination, in Arithmetic and Reading, and 2 were advanced in English Grammar. The same good improvement was not manifest in the writing of the scholars; this appeared to be owing more to a want of suitable desks than to any inattention on the part of the Teacher. Schoolhouse comfortable, but not sufficiently large.

Lot 31, Elliot River.

DONALD LAMONT, Teacher.—Present at the examination of this School, 20. The proficiency which has been made in all the branches in this School is highly creditable to Teacher and Scholars. Those in the highest classes displayed a most correct knowledge of English Grammar, and were all well acquainted with the principal rules of Arithmetic; these also, read and recited portions of the English Reader, both in Poetry and Prose, with great correctness; and of those examined in Arithmetic, the greater part gave ready and correct answers to the different ques-

tions put to them—a proof of their being well grounded and frequently exercised in that useful branch of Education. This Schoolhouse is sufficient.

Lot 33, Lytchett Mills.

ALEXANDER M'CABE, Teacher.—The number attending this School is 25, present 20; the more advanced of these, reading in the Testament and forming a class of 9, read and spelled, in general, well; the remainder read in the elementary books; several had made some progress in writing, and 6 of those present were learning the primary rules of Arithmetic. Although none of those had commenced their first stage of education with this Teacher, had made good proficiency for the time taught, and all went through their lessons in a very orderly manner. The Schoolhouse here is good and sufficient.

Lot 48 District School.

MICHAEL M'CARTHY, Teacher.—The attendance at this School is 37—present 35; the most advanced read in the Introduction; the remainder in the Testament and elementary books; a considerable degree of improvement was evident in the reading of those who had been in constant attendance; several were making good progress in the primary rules of Arithmetic, but the irregular attendance of the more advanced writers occasioned very little improvement to be apparent in that branch. The Schoolhouse is sufficient.

Lot 49 District School.

JOHN LE PAGE, Teacher.—Present at the examination of this School, 17—in attendance 22; the more advanced of the Scholars who were present at the examination of the School in August last were, with few exceptions, absent at this visit; the school also had only been open three months during the last half year, in consequence of the house being out of repairs; still all have made very creditable improvement during the little space of time they have been in attendance. The specimens of writing shewn bear testimony to the great attention given by the Teacher to that department. One only has made any progress in Arithmetic; all read with great propriety, and in the spelling especially, excelled. The Schoolhouse has been put in better repair than when last visited.

Lot 65, Nine Mile Creek.

DONALD LEVINGSTON, Teacher.—This School is at present vacant—the Teacher attending the Central Academy.

Lot 29, Sable.

ARCHIBALD M'KINNON, Teacher.—Present at the examination, 27. The School having been formed little more than a week, the Teacher could not ascertain yet the number of Scholars to be taught during the year. This School was visited in August last, since which time it has

been vacant; although no proficiency could be yet expected, all gave promises of improvement, and went through their various exercises with much correctness and good order.

Lot 34, Brackley Point.

ALLAN STEWART, Teacher.—The number taught at this School is 30. The Teacher has been stationed here but two months. With the exception of 2 or 3, all the children are yet rather backward in reading and spelling, and are not all sufficiently supplied with suitable books. In writing, several have made good proficiency; 1 only is advanced in Arithmetic. The Schoolhouse, with a little repair, might be made sufficient and suitable.

Lot 60, Flat River.

JOHN M'KINNON, Teacher.—At the examination there were 37 present; the number taught is 43; several of those who had been regular in attendance on the school had made some progress in their reading and spelling; none were yet advanced in Arithmetic. In writing, no satisfactory proficiency has been made—the scholars, for the most part, being very irregularly provided with writing materials. The Schoolhouse here is rather small, but in good repair.

Lot 62, Belle Creek.

NEIL M'KINNON, Teacher.—The number taught at this School is 40; the scholars, in general, have made very creditable improvement in writing and Arithmetic, and are carefully instructed in reading and spelling; but the want of suitable books amongst several of the children tends greatly to retard their own progress, and acts as a drawback upon the efficiency of the Teacher. The Schoolhouse is of the same description with the one last named.

Lot 67.

NEIL ARBUCKLE, Teacher.—The number attending this School is 30, 25 of whom were present: many of these are not provided with suitable books; the Schoolhouse is also in a very unfinished state; and the progress of the scholars appeared to have been much retarded in consequence of these and other disadvantages under which they labour.

KING'S COUNTY.

Lot 64, Guernsey Cove.

PIERCE RYAN, Teacher.—Attending this School, 30; 29 were present at the examination; a class of 4 had made considerable proficiency in Arithmetic; in reading, some improvement was apparent with respect to pronunciation, observing the pauses, &c., but in nothing else was there any improvement visible since last examined. The attendance of the children appeared to have been very

irregular. This Schoolhouse would require to be put in better repair before it could be considered good and sufficient.

Lot 63, Murray Harbour.

ARCHIBALD M'KENZIE, Teacher.—At the examination of this School, there were but 5 present; the number usually taught is 45; the cause of the falling off in the attendance at this time was the prevalence of sickness among the children of the district. The few who were present manifested the same proficiency in their different studies which was remarked on the occasion of their first examination. The Schoolhouse is small, and not sufficient to accommodate without inconvenience the number of scholars usually taught.

Lot 59, Montague River.

RODERICK CAMPBELL, Teacher.—This School, under the present Teacher, has been opened subsequent to my first visit; the number on the Teacher's list is 38, of whom 33 were present. The School having been but so recently opened, much proficiency could not have been expected. In the writing department, where the improvement could be more easily and visibly seen, the proficiency made was very great; a class of 6 were examined in Arithmetic, and shewed an accurate knowledge of the principal rules thereof. A class of 5 were making good progress in English Grammar, 10 were commencing the study of Geography, 1 of Mathematics, and 1 Book-keeping. It is creditable to those connected with this school, that the children are generally well provided with books, thus enabling the Teacher to class his scholars, and, by concentrating his own labour, allowing him to overlook the details of each department without confusion, while the method pursued tends to facilitate in an equal degree the progress of all. The Schoolhouse here is, without exception, the best in the Island.

Lot 52, Brudenell River.

JOHN M'NEIL, Teacher.—This School has been established but a few weeks under the present Teacher; there were 27 scholars present at the examination; the number on the Teacher's list is 35; those reading were divided into separate classes, from the English Reader down to the elementary books; of the more advanced of these, a class of 10 were commencing the elements of English Grammar; those learning Arithmetic were, with the exception of three, all beginners; each class went through its lessons and exercises with great correctness and regularity, and in every thing gave fair promises of creditable improvement, under the judicious method of instruction pursued by their Teacher. The Schoolhouse is good and sufficient.

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Lot 51, Georgetown Road.

NATHANIEL M'LAREN, Teacher.—This School also has been but very recently established. The number in attendance is 32; present, 27; those writing and in Arithmetic appeared to have made very good improvement since the opening of the school; the several reading classes read and spelled, in general, with much propriety and correctness. The children are generally well provided with books, and the Schoolhouse is very suitable and sufficient.

Lot 56.

EDMUND SHEA, Teacher.—Present at the examination of this School, 20—on the Teacher's list, 23. Although many of these scholars are deficient in suitable books, several have, notwithstanding, made very good progress in reading and spelling—three were well acquainted with the primary rules of Arithmetic. The Schoolhouse is small, but comfortable.

Lot 39, Savage Harbour.

DANIEL SCOTT, Teacher.—The number attending on this School, when last examined, was 30; several of these were well advanced; those in the highest classes read in general with correctness, and in the inferior classes all were making fair progress in reading and spelling; of 16 who were writing, several whose attendance at school had been most regular were making good proficiency, and a few were well acquainted with Arithmetic; and the good method adopted by the Teacher was apparent in the progress the scholars had made, in reading especially. The Schoolhouse, although of small dimensions, is tolerably well provided with the necessary accommodations of seats and desks.

Lot 43, Bay Fortune.

JOHN M'NEIL, Teacher.—Present at the examination, 12; on the Teacher's list, 25. In consequence of the prevalence of sickness among the children, the greater part were unable to attend; the attendance for some time back appeared to have been very irregular, and has retarded considerably the progress of the scholars; those however, who were present in the highest class, read and spelled in general correctly; in writing also, some proficiency had been made; one only is advanced in Arithmetic, and shewed a correct and extensive acquaintance with the principal rules thereof. Several who had recently commenced reading were making very good progress in the elementary books. The School has been lately put in better repair, by the addition of sufficient desks and seats.

Lot 47, East Point.

JOHN SLATTERY, Teacher.—At this School there are taught 34 Scholars; a class of 6 were learning the rudiments of Latin; one who was advanced to Cæsar's Com-

mentaries in that language, and was making very considerable progress when last examined, was not present at this time; several read and spelled correctly, but the greater part had made but little progress in reading, many not having been in constant attendance; but very great improvement was visible in the writing and in arithmetic; several were making very good proficiency, and were well grounded and frequently exercised in that branch. The Schoolhouse, with little repair, would be rendered good and sufficient.

PRINCE COUNTY.

Lot 26, Bedeque.

W. H. NELIS, Teacher.—The average number of Scholars taught at this School, at present, is 20; of these 12 were present at the examination; 2 of these have made some progress in the French language, and have attained a correct knowledge of English Grammar. Another class read and recited passages in English in a very superior manner, and all were well versed and exercised in the signification of words, and on the meaning of the different passages they read; and the great correctness and proficiency with which they all read, bore testimony to the great attention of the teacher to their improvement in elocution. In Arithmetic, many were well acquainted with the principal rules, and, with few exceptions, all had made very great proficiency in writing. The Schoolroom is comfortable in winter, but, from its small dimensions, must be too much confined in the summer season.

Lot 18, Richmond Bay.

BENJAMIN CLARK, Teacher.—The number attending this School is 40. This School has been but very lately established, yet very fair improvement has been made by those writing, and several are already well acquainted with the primary rules of Arithmetic; the scholars are classed together, so far as their books and respective progress will allow, and all give promises of creditable improvement, under the good method of instruction followed by the Teacher. The room in which the School is at present held is unsuitable in several respects, but a good and sufficient Schoolhouse is in the course of being completed.

Princetown Royalty.

SEBASTIAN DAVIDSON, Teacher.—At the examination of this School, there were 31 scholars in attendance; a class of 7, who were examined in English Grammar, went through their exercises in a highly creditable manner; one had made some progress in Geography; those learning Arithmetic had made very good proficiency, and all read and spelled in general with correctness; and the regularity and good order observed by all, in the course of their examination, gave proof, along with the improvement which had been evinced, of the good method pursued by the Teacher. The Schoolhouse is large and commodious,

Lot 16, Ellis River.

JOHN M'KINNON, Teacher.—Present at the examination of this School, 30; of the more advanced scholars, two were learning English Grammar, and had made very considerable proficiency; the improvement in writing and arithmetic was equally creditable; and the rapid progress many have made in reading and spelling bore testimony to the assiduity and attention of the teacher. The method pursued is, in every respect, good and judicious, and few teachers in the country maintain the like good discipline and order which characterise this School. The Schoolhouse, although small, serves to accommodate the number usually taught.

Lot 11.

THOMAS KEY, Teacher.—On the Teacher's list, 31; Scholars present at the examination, 24. This School has been but recently established in this place; the scholars have already made considerable proficiency under the very good method followed by the teacher; and in elocution especially several excelled, and recited several passages and poetical extracts with great correctness and taste; 4 are commencing English Grammar. The Schoolhouse is commodious, sufficient, and well provided with the necessary accommodations of desks and seats.

Lot 13, Port Hill.

A. C. BECKFORD, Teacher.—On the Teacher's list there are 37 scholars, 22 of whom were present; considerable proficiency had been made since last examined by several of those who were most regular in attendance on the school; several had made good progress in arithmetic, and a few in writing, and the highest classes of readers read and spelled with correctness. The attendance of the children appeared in most cases to have been very irregular. The Schoolhouse is good and sufficient.

Lot 14.

JOHN RONAYNE, Teacher.—Present at the examination of this School, 37; on the Teacher's list, 40. In this School there are none yet much advanced; a class of 10 read the Testament, and the remainder the elementary books; one only is advanced in arithmetic; in writing no satisfactory proficiency appeared to have been made, but the greater number had considerably improved in reading and spelling. The Schoolhouse is of rather small dimensions.

The above are the Schools at present established under the operation of the Education Act. There are yet several Teachers who have received Certificates of qualification from your Board, whose schools are not mentioned in this Report, two of whom were not licensed at the time I passed their schools in the course of my last visit; the Schoolhouse of one had been burned, and another, in consequence of indisposition, has been unable for some time back to teach.

I have the honor to be, Gentlemen,
your obedient Servant,

JOHN M'NEILL, Visiter,

No. 2.

Report of the Visiter of the District Schools of Prince Edward Island, up to January 1st, 1839.

To the Members of the Board of Education:

Gentlemen,

IN laying before you the following summary of the state of the District Schools of Prince Edward Island, separately, there is one circumstance which I cannot overlook, viz: that the most necessitous settlements are those which in general make the least efforts to procure for themselves and their posterity the benefits of education. Several schools in which the elements of education were taught for years, are now without Teachers.

It occurred to me that the most expedient means for the removal of this disadvantage, would be, to insert Advertisements in our Colonial Periodicals, inviting the attention of teachers to these vacant stations; which Advertisements are now before the public. Nevertheless, I fear that the scarcity of teachers in the Colony is such, that few of these can be supplied; and in this I feel more satisfied from the fact, that the number of schools in operation has been about the same permanently, since I was first appointed Visiter.

It would appear from this, that all the teachers are employed, consequently that there is but little hope of supplying the schools now vacant, without increasing the number of our teachers in the colony. To accomplish this object, one of two alternatives must be adopted—either to import teachers, or to open a Normal school for training up young men in our own colony for the profession.

As to the stations above mentioned, in which there are no schools—and the want of them seems to be but partially felt—perhaps it might prove a remedy, were the Legislature to divide the Island into Sections, and plant a School in each of these, endowing each school with an annual grant from the public funds, and obliging the inhabitants of such section to contribute to the support of such school, by the payment of a permanent adequate sum, to be raised by assessment or otherwise.

If schools were thus established permanently, the benefit of education would be self-evident to the people at large; and instruction would become, not only more general, but also the rising generation would be enabled to plenary a more extensive stock of acquirements from the permanent character of the schools.

Without desiring to see the standard of qualification fixed by the law for teachers lowered, I am of opinion that it would be beneficial to some of the poorer and more destitute of the settlements, were some small provision made, in the meantime, to aid in the support of a few of the most deserving of those teachers who, for such remuneration as the inhabitants could afford, should make themselves useful, in imparting instruction to their children, and advancing them in the first stage of education.

At the request of the Committee of the Highland Society of this Island for inquiring into the state of education, I furnished that Committee with a more detailed statistical account of the educational wants of the colony; to which statement I beg leave to refer you, in Appendix, Letter A.

The office which I have the honour of holding was instituted with the view to aid, not only in extending education in the Island, but also in suggesting and introducing such additional improvements as the present state of society and recent advances in the art of instruction may suggest or require. I am aware of the arduous nature of the duties which have devolved on me, and I flatter myself that I may, without incurring the imputation of arrogance or presumption, pretend to some knowledge of those responsible duties; for my time and attention have hitherto been devoted, with little interruption, to that professional training which is indispensable in the efficient instructor of youth; the successful prosecution, however, of this object is no easy undertaking, and requires both “tact and talent,” so much so, that in my humble opinion, the profession of a teacher is one of the most difficult, as it is one of the most important, in human life.

In the premises, I have alluded to the expediency and importance of professional training. It is not enough in the teacher of youth to have himself acquired much useful knowledge; it is indispensable that he have also an aptitude, natural or acquired, for imparting his knowledge, and infusing his energy into others. This is the proper art and business of the Schoolmaster, and yet this is the only art in which there is no early training, nor means provided for bestowing it on such as are willing to be trained.

In Scotland, from an early period, we have striking proofs of the desire to raise high the qualifications of the Schoolmaster. In 1640 an academic education and a knowledge of Latin were required of the parish Schoolmasters; but the idea of subjecting them to a *systematic* professional training seems hardly to have occurred to the founders of the National schools of that country, or of any other country in Europe, at that time. The only approximation in Scotland to such institutions as the Seminaries, now called Normal, was in the Model School of the Society for propagating Christian Knowledge, about 100 years ago, in which were trained Teachers for the Society's Schools in the Highlands.

Prussia was the first European nation that seems fully to have appreciated the importance of a strictly professional education to schoolmasters, and which ingrafted seminaries for this purpose on its national system.

In that country there are at present no fewer than 30 of these schoolmasters' Colleges, whose pupils, after one or two years' study, are sent forth with their diploma of qualification, according to the place they occupy at the final examination. Under the influence of these seminaries the quality of education has been gradually rising for the last 20 years; and the profession of a schoolmaster has risen

in public estimation, not so much in consequence of high salaries, as of high professional training, and of the rewards and honours which await the successful teacher, from the mastership of an elementary school to the directorship of a Normal seminary, or professorship of the theory of education in a Prussian University.

The French Government, soon after the Revolution of July, 1830, turned its attention to the creation of a national system of education, and for this purpose dispatched Professor Cousin to Germany, to examine the institutions of Prussia. In his interesting "Report on the state of Public Instruction in Prussia," the system of Normal Schools occupies a prominent place; and his recommendations on this head were adopted by the French Minister of Public Instruction, and have been attended with the most favourable results.

In England, an approximation has been made to a Normal School, both by the National School Society, and the British and Foreign School Society. The former, in its Central School, Westminster, receives young men to be trained as Teachers; the average period of attendance is five months.—The British and Foreign School Society, in their Borough Road School, have also been in the habit of training teachers; but the average period of attendance is only two months.

The Government Model School, in Dublin, is also employed for the same purpose.

In Edinburgh, Mr. Wood's School has served to the same limited extent the purposes of a Seminary for training teachers, as well as of an admirable model, from which hundreds have received useful hints, and a stimulus in the path of improvement, the effects of which have been felt more or less over the whole of Scotland.

These were the first and only efforts in Great Britain and Ireland with which I am acquainted, for providing the means of professional training for Schoolmasters prior to 1835.

About this period the attention of some of the friends of education in Britain was directed to the importance of these institutions; and an Educational Society was first formed, as far as I can learn, in Glasgow, whose principal object, as set forth in its constitution, was, "to solicit Parliamentary inquiry and aid, in behalf of the extension and improvement of parochial Schools—and, in particular, to establish a *Normal Seminary*, for the instruction of Teachers in the most improved modes of intellectual and moral training, so that Schoolmasters may enjoy a regular professional education."

This Society having turned its attention to the best mode of commencing so desirable an institution, Dr. Welsh, of Edinburgh, visited Prussia in the year 1835, and furnished the Society, on his return, with a mass of valuable information on the working of the educational system of that country.

The Society was impressed, moreover, with the practical wisdom of the advice which the French Professor gave

to the Minister of public instruction on this subject—"Choose the best conducted primary (elementary) school in the department, that which is in the hands of the master of the greatest ability and trustworthiness; annex to this school a class called Normal, in which the same master shall teach his art to a certain number of young men of the department, who are willing to come to it, to form themselves for schoolmasters. By this plan, before six months are over, you may have in each department an excellent little Normal school, which, from year to year, you can extend, improve and enlarge. The plan which I propose does not commit you to any future measures, yet it at once covers France with Normal Schools which will supply our first wants; it is for time, zeal and diligence to do the rest."

These hints the Society made the groundwork of its system, and choose Model Schools, annexing to these a class called Normal, over which was appointed an able and intelligent master as Director. From this beginning these Seminaries have now increased through the principal towns and parishes of the land.

Such is a brief and imperfect sketch of the rise and progress of those institutions, which have proved of such advantage to the countries where they are established.

The following testimony to the utility of the system is borne by a gentleman who appears to have been well acquainted with the nature and practical operation of these seminaries. "The great excellence of a Normal Seminary is this:—that while it has model schools as a part of its establishment, schools that are conducted on the best methods, and by the best masters, it has also a Rector, who is specially entrusted with the care of the young men who have come to learn the art of teaching, and while the Rector sees that they are conversant with the branches of education they are afterwards to teach, instructing and examining them regularly for that purpose, and while he acquaints them with the theory of a well conducted school, he has the model schools at hand, in whose classes they may, under his eye, put into actual use the lessons they have received, and thus become truly accomplished at once in the theory and in the practice of their profession."*

The successful working of this scheme has now been tested by the experience of three years, as will be apparent by the following extract from the Report of the Educational Society's Committee, with which I shall conclude my notice of this subject: "The Committee think it important to announce, that no teacher who has given himself a course of training at this school, and quitted it with marked approbation, without receiving, almost immediately, an appointment to some eligible situation; and so rapid is the appropriation of teachers qualified at this seminary, that very often the Committee are requested to recommend to well endowed schools, where there is not a single fit expectant on their list; the supply lingers much behind the demand, and the demand is a striking proof how much

* Rev. Mr. Buchanan's Speech, at Glasgow.

the defective state of education is felt throughout the country."

When such is the language used in reference to the old scholastic economy of that country, whose educational system has been regarded by the world as so excellent, when its state is acknowledged to be defective, and felt as such through the country—how much more defective then must be our Colonial educational system, and what urgent necessity there exists for our taking immediate steps to improve and extend it! The way appears now to be plain before us, and with the example in view of what the institution of the Normal School has done, and is now effecting in other countries, should we not be considered as remiss in hesitating to follow a path so clearly and distinctly pointed out? But I would wish it to be understood that I do not desire to put this forward merely as a scheme of innovation; that though zealous to amend whatever is defective in our educational institutions, and to see the schools of Prince Edward Island placed upon as perfect and efficient a footing as the exigencies of the country will allow, I should not wish to belong to that class of improvers whose first impulse is to pull down whatever already exists, for nothing else than the high crime and misdemeanour of being old.—I would not consecrate an abuse merely because it is covered with the venerable dust of "hoar antiquity," nor worship a finely gilded theory merely because it is new.

The fact is certain, that whilst the mechanical arts have their period of apprenticeship, and the liberal professions their periods of study and probation, whoever will, may enter upon the profession of an instructor of youth unprepared, and often unauthorized. Here, when every thing else fails, any man is ready made for a schoolmaster.

To this cause may be ascribed the sight which too often presents itself in this country, of schools conducted on the worst possible methods, whose masters know little, and can impart little, except in the mechanical arts of reading and writing—and even these in a slovenly manner. This is entirely owing to the want of that professional education, from which even the worst masters would have acquired a better method, and the best would have greatly benefited. Left hitherto to any method, or no method, young teachers blunder on as they best can; and the effect of thus leaving them without a professional education is to give to the rich the most enterprising, successful and experienced teachers—and to leave to the poor, too generally, the sluggards and novices of the profession.

Satisfied as I am that if the attention of the Legislature could be successfully drawn to this all-important subject, Normal Schools might be established in various parts of the Island, and that from them teachers properly qualified could be sent into the different districts, and the education of the youth of the Colony placed upon a firm and permanent basis.

These remarks I have presumed to submit to you, knowing that from my frequent visitations of the different settle-

ments, I had an opportunity of becoming better acquainted with the necessities of the inhabitants than any other person connected with the instruction of youth in the Colony; and if from any hint I may have given, you shall be enabled more fully to advance the interests of education, I shall reap an abundant harvest of satisfaction.

I have the honour to remain,

Gentlemen,

Your obedient Servant,

JOHN McNEILL.

APPENDIX, LETTER (A.)

[Copy of a Letter addressed to a Committee of the Highland Society.]

Charlottetown, July 28th, 1838.

GENTLEMEN,

To you, as the Committee chosen by the Highland Society of Prince Edward Island, for the purpose of ascertaining the extent of the educational destitution of the Scottish part of the population, I have the honor of submitting the following statement, in the hope it may prove of some service to the society, in promoting the principal object of its formation, viz: "the introduction of suitable schoolmasters, and the importation of Books from the mother country, so as to diffuse more widely among Scotchmen, and their descendants in destitute parts of the country, the blessings of a sound, practical, and moral education."

I shall in the first place proceed to shew the number of children in this Island at present destitute of the means of adequate instruction.

In order to ascertain what proportion of the population of any country ought to be at school, so as to ensure universal juvenile education, we must look to the population returns of the number of youth within the educational age. The juvenile educational age is from six to fourteen. Every child then between six and fourteen ought to be at school, in order to ensure universal and efficient education; and by ascertaining the proportion of the population within those ages, we come to the knowledge of the number of youth which should attend juvenile schools.

By the last census of the Island, taken in 1833, the entire population was found to be 32,292, of which 16,207 were under sixteen years of age. The proportion between these last, and those within the educational age above mentioned, may be assumed at one half, or about 8,000; but of these 8,000, the number at present enjoying the benefits of public instruction, according to returns taken in my recent visit to the schools, is below 2,000, leaving the large proportion of 6,000 children wholly neglected in their education.

The proportion the Scottish part of the population bears to the whole, is said to be about two-thirds. From these data, then, and without allowing for the increase of population since 1833, we arrive at the conclusion,

that there are at this moment, at the lowest computation, 4,000 of the children of our countrymen growing up in lamentable ignorance of the first rudiments of learning.

The Legislature have indeed shewn a laudable desire to encourage and promote Education; and One thousand Pounds of the public revenue is annually appropriated to the support of District Schools; and Fifty-five Teachers enjoy the benefit of the Education Act—yet it is apparent how much remains yet to be done.

The parents in many cases are too ignorant to lament what they have not learned to deplore as the greatest of all evils. Others are sufficiently enlightened to mourn over this sad destitution, inflicting upon their offspring the same intellectual degradation—plunging them in the same mental darkness which has depressed themselves; these have an anxious desire, without having, in many instances, either the opportunity or the means of educating their children, and hail with joy the establishment of a Branch of the Highland Society of London among them, and view its leading object as the most acceptable boon which could be offered them.

In the annexed Table I have subjoined a list of those Townships which are more than commonly destitute of Schools, and also the number of schools required for each; it will be seen that the supply required for these stations* falls far short of the actual destitution; but in those Townships, from the density of the population in some of the settlements, the prospect of establishing schools at present, is greater, and more obvious. In some of those, school-houses have already been built, and the Inhabitants generally would contribute their means in aid of the object of the society, to procure for them the services of qualified and efficient teachers. Schoolmasters and books sent from home would awaken a new spirit, and lend a more vigorous impulse to the cause of education; and, to quote the language of the address of the Society of Nova Scotia to their fellow countrymen, “we should then enjoy the happiness of seeing introduced into this country the same intellectual training, or at least some approaches to it, which forms the moral character of Scotland, at once her happiness and pride.”

I have the honor to be,

Gentlemen,

Your obedient servant,

JOHN McNEILL.

Messrs. Dalrymple, Macintosh and Brown.

* 45 Schools, with an average of 40 scholars each, would educate but 1800, not one half of the number destitute.

List of Lots or Townships destitute of sufficient Schools, and the number of Schools required for each.

| LOTS | SCHOOLS. | LOTS. | SCHOOLS. |
|-----------------------|----------|-----------|----------|
| No. 1 to 10 inclusive | 4 | 43 | 1 |
| 17 | 1 | 44 | 1 |
| 21 | 2 | 45 | 2 |
| 22 | 1 | 46 | 2 |
| 24 | 1 | 47 | 2 |
| 25 | 1 | 50 | 1 |
| 26 | 1 | 53 | 1 |
| 27 | 1 | 54 | 1 |
| 28 | 2 | 57 | 2 |
| 29 | 2 | 58 | 1 |
| 30 | 1 | 61 | 1 |
| 33 | 2 | 62 | 1 |
| 34 | 2 | 64 | 1 |
| 35 | 1 | 65 | 1 |
| 36 | 1 | 67 | 1 |
| 37 | 1 | | |
| 41 | 1 | | |
| 42 | 1 | Total, 45 | |

No. 3.

Summary of the State of the District Schools of Prince Edward Island, embraced in the Report of the Visiter. 31st December, 1838.

QUEEN'S COUNTY.

LOT 49 District School, John Le Page, Teacher. June 1st, 1838; Visited this School to day—the number of scholars attending is 25, of whom 22 were present. The elder scholars were examined in reading, orthography, and English grammar, and in all these exercises, their proficiency was very gratifying. The junior classes also displayed a very satisfactory improvement in reading and spelling; and their answers to questions arising out of their lessons, shewed that their attention had been directed to the meaning of what they read; and altogether, the steady progress made by the different classes, since last examined, reflects credit upon the assiduity of the Teacher.

The school-house has lately been rendered sufficient by further repairs.

In the further extremity of this Township, Lot 49, another School has been recently opened, which is taught by Patrick Fitzgerald. This settlement having been without a School during several years, the children attending are, with few exceptions, rather backward in their education. The present teacher having recently succeeded to the charge, no proficiency of consequence is yet apparent; but it is to be hoped that the attention of the teacher to the important duties of his calling, will, ere long, cause an improvement in the state of the School to be manifest.

The District School of Lot 34, St. Peter's Road, Robert Robertson, Teacher, numbers 44 scholars, 30 of whom were present when examined. Those scholars whose attendance had been most regular and constant, have made considerable proficiency. In reading, spelling, English grammar and writing, the improvement has on the whole been satisfactory. In arithmetic, several had made good progress (as appeared by their books,) but were, with two exceptions, absent at this time. The advantage and benefit of the good system of instruction pursued in this School is apparent in the creditable improvement of the pupils, as evinced at each examination.

The Dog River School, Lot 32, is taught by Malcolm Darrach. The daily average attendance is about 40 scholars, 38 of whom were present. The proficiency made by the pupils, generally, since last examined, has been satisfactory. The correct manner in which the senior classes especially read, and the knowledge of grammar which they displayed, was highly pleasing.

The school-house has been considerably enlarged since my last visit.

Lot 33, Lytchett Mills, Princetown Road, Alexander McCabe, Teacher. At this examination, as at the last, I found none of the scholars much advanced; this I cannot ascribe to the inefficiency of the teacher, who discharges his duties, I have every reason to believe, with fidelity, but rather to the irregular attendance of the scholars, many of the more advanced of whom quitted the school within the preceding twelvemonths. The school numbers 25.

The Elliot River School is still under the tuition of Donald Lamont. The state of this school, and the general proficiency of the pupils, merit approbation. The several classes, especially the senior, went through their exercises in a manner sufficiently creditable; and the proficiency made during the last quarter of a year, particularly in English grammar, elocution and arithmetic, bears testimony to the application of the scholars. At a subsequent visit to this school, in the month of November last, I found that little or no improvement had taken place in the state of the school since the previous examination in June; this appeared to be owing to a long vacation in the interval, occasioned by the enlargement and repair of the schoolhouse.

Lot 29, Sable, Archibald McKinnon, Teacher. At this school, one of the largest on the Island, 52 scholars were present at the examination. Although labouring under many disadvantages, such as a want of suitable books, a school-house insufficient, and out of repair, &c. the teacher has been nevertheless successful in his efforts to advance his pupils; many read and spelled with great propriety; and in arithmetic, the proficiency made was equally satisfactory; and several excellent specimens of writing were shewn; all bearing testimony to

the attention of the teacher to the instruction of his pupils.

A new and commodious school-house for this District is nearly completed in the vicinity of the present house.

Brackley Point, Allan Stewart, Teacher. Twenty-five attended on the examination of this school—on the teacher's list 30. I regret to say that very little proficiency has been made at this school since last visited. The settlement here is scattered, and the children in the remote parts thereof cannot attend regularly upon the school at all seasons of the year. Some improvement in reading was apparent, but in arithmetic and spelling none of consequence. This school is now vacant, the teacher having lately resigned his charge.

Lot 60, Flat River. At this station there is a numerous school taught by John McKinnon—on the list there are 50 scholars—40 were present on this occasion. In the different branches taught here, embracing English grammar, book-keeping, arithmetic, and writing, considerable progress has been made; the improvement in reading and spelling has, upon the whole, too, been satisfactory; and the assiduity of the teacher has been apparent, in the approved pronunciation, orthography, and attention to the rules of correct reading generally, on the part of the scholars.

Lot 62, Belle Creek. This station is vacant, the teacher of the last year, Neil McKinnon, having removed to the Brackley Point Road School. In this latter District is a sufficient and suitable school-house, which was visited very recently after its opening under the present teacher. I found 25 scholars assembled, many of these had been well advanced in their education under the tuition of the former teacher, (Mr. J. Arbuckle); and although, since then, the school has been vacant several years, the proficiency that appeared to have been made in several of the higher branches of English education by many of the pupils, was a proof of the ability of their former instructor. The state of the school under the present teacher, is also promising; and it is to be hoped that on a future occasion, such improvement will be manifest, as will gain for the school that commendation which shall always be bestowed on the deserving.

The Lot 67 School, is taught by Neil Arbuckle—the school numbers 30 scholars, none much advanced. Although this teacher could not be efficient, in a school station requiring ability on the part of the master, or an acquaintance with the higher branches of English education, yet his services are useful in this settlement, where the ambition of the inhabitants generally, does not extend beyond providing for their children the means of acquiring a little knowledge of reading.

Several in the school were making considerable progress in the first stage of their education; and the teacher appears to be constantly attentive to his charge.

Lot 57, Orwell-head. The School at this place is taught by Donald Graham, and consists of about 30 scholars. A large proportion have attained considerable proficiency in reading and spelling; and although the attendance on the school, from various causes, had been very irregular during the interval of my visits, I found that as much progress as could be expected, had been made in the various branches taught. In grammar, especially, a class of four boys had made rapid progress. A large and commodious school house was erected in this settlement, but, unfortunately, destroyed by fire; the present house is of small dimensions, but must be put in better repair before it can be considered sufficient.

The Newtown (Belfast) School is taught by Charles M'Eachern—40 scholars appear on the list, 33 of whom were present at the examination; a few of the elder ones were considerably advanced in arithmetic, but in reading and spelling the progress was not so satisfactory. Several were also totally destitute of books, and on some occasions in reading, one book was made to serve perhaps three or four children, who were also frequently at different stages in their proficiency; this, with other causes, tended to retard their improvement, especially in reading and pronunciation.

Point Prim, Donald Murchison, Teacher.—Present when this school was visited, 25; on the list, 23. I found several making good proficiency in grammar and arithmetic—the younger classes appeared to have been carefully instructed in reading and spelling; a few wrote tolerably well. At a subsequent visit, in the month of December, the improvement that had taken place during the interval was highly gratifying; and the knowledge displayed by the more advanced boys, particularly in arithmetic, was quite satisfactory.

Lot 53, Belfast, John Arbuckle, A. M. Teacher. The examination of this School took place in presence of the Trustees, and several of the parents of the children. The number on the teacher's list is 60, 40 of whom were present; these, divided into eight classes, went through their different exercises in a manner highly creditable. The proficiency made by the junior classes, in a short space of time, in reading and spelling, was remarkable, and the correct answers returned by them to the various questions asked, was a proof of their attention being regularly directed to the meaning of what they read. Nor was the examination of those in the higher classes less satisfactory in its results; these were learning English grammar, trigonometry and elocution, and their correct knowledge of those branches was creditable alike to teacher and pupils; notwithstanding the sickness which prevailed in the District in the summer season, and caused the school to close for several weeks. The irregular attendance of many of the children, from this and other causes,

rendered the exhibition less satisfactory in some respects than it would otherwise most probably have been. Another circumstance deserving of notice is the success which attended the efforts of the teacher, to impart instruction through the medium of the Gaelic language, this being the vernacular tongue of the great majority of his pupils, many of whom are almost totally ignorant of English on entering the school. A class of these learning the English spelling Books, read a chapter in St. John's Gospel in Gaelic, and under the direction of the teacher, by comparing and translating, enjoyed the advantage of being enabled to read in both languages, while they made a rapid progress by this method in learning to speak, and to understand the English.

At Lot 43, Fullarton's Marsh, the School of the District is taught by Donald M'Leod. This school is yet in its infancy; with the exception of three, all commenced the first stage of their education with the present teacher, and those who have been regular in attendance have made suitable proficiency in reading and spelling. A class of seven have recently commenced writing, and the study of the elements of grammar. The school numbered 23.

Charlottetown, P. B. Doyle, Teacher. This School has been visited, and examined on three several occasions since making my last report of the Schools. At the second examination, which took place in September last, 47 scholars were in attendance, and some improvement was apparent in the state of several of the classes; although, from the want of books among many of the children, their proficiency in reading and spelling was not so great or so satisfactory as could have been looked for. At a subsequent examination on the 20th December, I found but comparatively few attending; this falling off was the consequence of the prevalence of sickness in many of the families connected with the school; and from the same cause, the attendance of the scholars had, since the previous examination, been very irregular. It is to be regretted that on this account their progress since then has been so limited. A class that had been more than usually regular in attendance, excelled, especially in arithmetic and writing.

The School at New Glasgow, Lot 24, is taught by — Blanchard. This teacher has recently succeeded to the charge of this school, which was vacant for a considerable time. 34 scholars attended, divided into several classes, according to the different stages of their progress. The more advanced read with propriety in the English Reader, and Introduction; and, although from the short period since the re-opening of the School, little improvement in the state thereof could be expected, yet, from what appeared of the method of instruction followed, the pupils bade fair to make suitable progress under the care and attention of the Teacher.

Canvondish School, Donald Livingston, Teacher.

This School has also been but lately re-opened under this teacher. Many of the scholars now attending had made some progress under former teachers, and evinced an acquaintance with some of the elements of English Grammar, Reading and Arithmetic. At the period of this examination the School could only be considered as organized anew. The scholars are more than ordinarily well provided with books; the school-house is sufficient; and, with these advantages, it is to be hoped that the proficiency of the pupils will equal the expectations formed of them, and at a future examination earn for themselves that approbation which will be the sure result of their application and diligence, and which will also depend upon the care and attention of the teacher to his duties.

PRINCE COUNTY.

Princetown Royalty, District School, Sebastian Davidson, Teacher. On the teacher's list in July last, there were 39 scholars. At the examination, present 21. It is unnecessary to particularize the state of this school, further than by stating that the scholars appeared to be steadily progressing in their knowledge of the different branches which they were engaged in learning at the period of the previous examination.

At a subsequent visit to this District in the month of November last, a new and commodious school-house, erected in the immediate vicinity of the old, was nearly completed.

In this Royalty is also another School, taught by Alexander Rae, A.M. At the request of the Trustees of this school, I paid it a visit in the month of July last, and found 43 present; the average daily attendance I ascertained to be 35. The scholars acquitted themselves on their examination in a manner highly creditable, and the whole arrangement and method in the conducting of the school were excellent, and such as to be expected from the ability of the Teacher. It is a subject of regret that this part of the Royalty of Princetown should thus be divided, and two schools located in the immediate neighbourhood of each other; one of the two is thus prevented from obtaining any share of the Provincial allowance. One school, to all appearances, would be sufficient, and the expense of supporting it would press lighter on those connected with it, were the inhabitants unanimous in their views on this matter. Before the erection of the new District school-house, the inhabitants of the lower section of the Royalty, viz: those connected with Mr. Rae's school, made a proposal to join in the support of the Central or District School, provided that school-house were removed from its present locality, to a situation more central or more convenient to the majority of themselves—but the parties being unable to meet on a common ground, or come to a further understanding on the subject, the two schools yet remain in the position described above.

The School at Oyster Cove, Lot 18, is taught by

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Benjamin Clark. On the list are 47 scholars, of whom 24 only were present at the examination. Several in the higher classes had made some progress in arithmetic and writing since last visited; in this latter branch, the improvement was very creditable, the neat and clean appearance of the writing copies being highly pleasing. In the junior reading classes, the progress was not so great nor so satisfactory. The attendance on the school in many instances appeared to have been irregular throughout the summer season.

Lot 11, Lot 16, and Bedeque. In these Districts the Teachers of last year are all yet stationed; and of these Schools it will be sufficient to mention, that from the short space of time which has elapsed since the visit immediately preceding, little difference in point of improvement was apparent, especially as several of the more advanced of the scholars had either quitted school, or were absent on this occasion.

In the first mentioned school, 31 attended; at the Bedeque, 20; and at the Lot 16 school, 32.

In the Dunk River settlement of Bedeque is also a School, James H. Fitzgerald, Teacher. At the examination of this school in July, 30 scholars were present; at the next visit in the month of December, 15 only were that day in attendance, although on the teacher's list there were 50. At this latter period, I found the proficiency among the few who were present to be something more satisfactory than on the first occasion—some little improvement being perceptible in reading, spelling, &c. None are advanced in Arithmetic. This School-house is large, but out of repair, and on that account uncomfortable in the winter season.

Lot 14, Grand River, John Ronayne, Teacher. This School numbers 40 scholars, all of whom were present. I cannot state that any improvement was visible in the state of the school since last visited; the attendance of the children too, has not been constant. A class of 3 had made some progress in the elements of Grammar, but, before completing their knowledge of this branch, it is to be regretted, had left the school. At the period of my last visit, I found a large class reading the Scriptures, and the remainder learning to read the first elementary books.

The other District Schools in this County are—a School lately opened in Lot 14, Dubois Smith, Teacher—33 scholars; all those who were present were in the first stage of their progress; and also a School at New Bideford, John Stewart, Teacher. There is a respectable school at this station of about 30 children; and, although the majority of these are in the first stages of instruction (the settlement having been some years without a school,) the progress many had made in the short period since the opening of the school, and the care and attention which the teacher apparently bestowed, gave every indication of future creditable improvement.

The School at Port Hill was vacant on my last visit. At Lot 19, Bedeque, a school has for several years back been established; it is now taught by Thomas Collins, who has been the teacher during the last 3 or 4 years. In December last, I examined this school in presence of the Trustees thereof, and found every thing to approve in the proficiency of the scholars, and in the method of conducting the school. The teacher gives the greatest satisfaction to all concerned, by his close and constant attention to his duties.

KING'S COUNTY.

Brudenell River and Lot 51 Districts. The Schools at these stations are taught by the teachers of the last year. Having detailed with minuteness in my last Report the state of these schools, separately, and finding but little alteration on my two last subsequent visits, in the state of either of them, it will be unnecessary to mention more at this time than the fact of the satisfaction which the teachers continue to give to those concerned generally in the improvement of those committed to their charge. In the latter school particularly, the proficiency which the pupils were attaining in one branch, writing, was striking, the good order and neat appearance of the copies being very pleasing.

The Montague School is now vacant; the late teacher, Roderick Campbell, has succeeded to the charge of the Georgetown school, recently.

At Murray Harbour, the School of the District is under the superintendence of the former teacher, Archibald Mackenzie. The state of this school continues to be prosperous, holding out advantages in its excellent arrangements, and in the ability of the teacher, possessed by few school stations in the Colony.

The School at White Sands, Guernsey Cove, continues in operation; but the teacher is not so efficient for this station as could be wished. From the desire of the inhabitants generally to give their children a suitable education, a person possessing higher qualifications than the present incumbent would be more serviceable in this District.

Savage Harbour, Donald Scott, Teacher. I find at intervals the state of this School gradually improving. In the reading department, the distinctness and general accuracy of pronunciation, together with readiness in spelling, is remarkable; and the proficiency of the scholars, notwithstanding the broken attendance, deserves commendation.

St. Peter's Bay—Morel. This school is taught by Thomas Bambrick, and although but very recently opened, the improvement evinced by the pupils in a few months, was superior to my expectations, and it must be confessed, is very creditable to the master.

In this settlement is a new, and very suitable school-house, built solely, I understand, at the expense of a gentleman of the District, Mr. Dingwell. Such exertions in the cause of education are highly praiseworthy, and were an example like this followed,

not only by individuals, but by whole settlements, the educational wants of the Island would not be so great as they now are.

The School of Pisquid, after being vacant some years, has been lately re-opened, under the tuition of Edward Walsh. I can make no further remark on this school, than that the majority of the pupils are in the first stages of reading and arithmetic; and my visit having occurred shortly after the commencement of the school, I can only say that the proficiency of the scholars will form the subject of a future report; and it is to be hoped that their improvement will be satisfactory.

The only other schools in this county, receiving government aid, are at Bay Fortune, John M'Neil, Teacher: this school I found to be in a state of improvement, and the teacher giving satisfaction:

At Little Ponds, Lot 56, Edmund Shea, Teacher, whose school is but limited in number, and the improvement upon the whole appeared to be satisfactory.

At Grand River is a school, taught by Patrick Sweeney—opened a few weeks before my visit in July; and on the second occasion in October, the teacher was absent from his charge.

The great benefits which the services of the school-master confer on society are evident; no calling involves higher duties or greater responsibilities than that of the teacher; and yet there is no class whose services are generally less appreciated, nor any whose labours are less adequately remunerated, in this country at least. Although this is the case, no one will deny that it is imperative on those who undertake this office, to discharge with fidelity its important duties; and nothing can afford me greater satisfaction, than being the instrument of bringing the merits of such teachers before the public. But being sensible of the importance of the trust confided to me, and feeling how much the efficiency of our educational system depends on my conduct, a sense of duty will not permit me (however painful to my feelings) to pass over, without censure, any wilful neglect of duty on the part of the teacher, which comes to my knowledge; or to see the public money misapplied to undeserving objects. That such neglect in more than one instance has existed, I have some cause of suspecting; and should I find suspicion well founded, or complaints which have been made, substantiated, the teachers in question will assuredly find, that any departure from that course which has heretofore gained for them approbation, will as certainly carry with it that censure which a proceeding so culpable merits. Against any misconduct or remissness on the teacher's part, the law places a remedy to a great extent, in the hands of the school trustees; their certificate of approbation of his conduct must be obtained in order to entitle him to the government allowance; yet it is sometimes surprising to see with what facility such certificates are procured from those very parties who are loudest in their complaints of the remissness of teachers, and of the inefficiency of that educational system, which their own acts thus tend to render inoperative and ineffectual.

APPENDIX

(E.)

[SEE PAGE 72.]

LIST OF DOCUMENTS CONTAINED IN APPENDIX (E.)

Copy of the Warrant Book, from 1st February 1838, to 21st January, 1839.

Detailed Public Accounts.

COPY OF THE WARRANT BOOK,

From the 1st of February 1838, to the 1st of January 1839.

| No. | February 1, 1838. | £ s. d. | No. | February 7. | £ s. d. |
|-----|---|-----------|-----|--|---------|
| 55. | Richard Cole, being the sum awarded to him by a Jury under Road Compensation Act, for da- mages sustained by the road leading to Hurd's Point passing over a part of his property, under a Writ issued per Order of Council of 17th August. | 23 0 0 | 66. | William Birch, being for making a Root House at Go- vernment House. | 5 0 0 |
| 56. | James Cole, being as above. | 12 0 0 | 67. | Messrs. Smiths and Wright, being for new glazing and putting shut- ters to the windows of the Market House. | 10 8 0 |
| | February 7. | | 68. | Messrs. Smiths & Wright, being for repairing Guard-house at Block- house, according to contract—and also, for visits and reports on Mount Stewart and Wright's Bridges, and Georgetown Court House. | 8 3 9 |
| 57. | A. Mackenzie, Schoolmaster, being for duties as such at Lot 63, up to 23d July last. | 10 0 0 | 69. | Robert Hodgson, Attorney General, being amount of his fees in Crown Pro- secutions last Hilary Term. | 34 14 2 |
| 58. | Robert Robertson, Schoolmaster, being for duties as such at Lot 34, Saint Peter's Road. | 12 0 0 | 70. | Robert Hodgson, Attorney General, being amount of his fees under Road Com- pensation Act. | 13 15 0 |
| 59. | J. Pope, Sheriff for Prince County, being account of expenses for holding Inqui- sition on Road from Bedeque to Hurd's Point, under Road Compensation Act. | 20 4 10 | | March 1. | |
| 60. | Daniel Hodgson, Prothonotary, being amount of his fees in Crown Prose- cutions last Hilary Term. | 29 18 10½ | 71. | John C. M'Keowen, being for medical attendance on prisoners in Jail of Georgetown. | 3 0 0 |
| 61. | Daniel Hodgson, do. being amount of his disbursements in Crown Prosecutions last Hilary Term. | 16 12 1½ | | March 8. | |
| 62. | J. L. Lewellin, Road Commissioner, being the annual salary as such. | 10 0 0 | 72. | James Macdonald, being the sum allowed by law for the past year, as Protector of Herring and Ale- wives Fisheries at Tracadie Bay. | 6 0 0 |
| 63. | Peter M'Nutt, do. being the annual salary as such. | 10 0 0 | 73. | Clement M'Eachern, being the sum allowed by law for the past year, as Protector of Herring and Ale- wives Fisheries at Hillsborough River. | 6 0 0 |
| 64. | Robert Jones, do. being the annual salary as such. | 10 0 0 | 74. | Gouldrop & Lang, being for 11 trips with the Mails to Cape Torment and back, at £6 per trip. | 66 0 0 |
| 65. | Patrick Cody, do. being the annual salary as such. | 10 0 0 | | | |

| No. | March 8. | £ s. d. | No. | April 12. | £ s. d. |
|-----|---|---------|------|---|-----------|
| 75. | William Bearisto, being the sum allowed by law for the past year, as Protector of Herring and Ale- wives' Fisheries at Richmond Bay. | 6 0 0 | 98. | C. Nicholson, being the quarter's allowance for the sup- port of his brother, a lunatic. | 5 0 0 |
| | March 17. | | 99. | J. P. Collins, Colonial Secretary, being amount of his quarterly account, including Lt. Governor's fees, £1 2s. 8d. | 41 1 10½ |
| 76. | J. D. Haszard, being his account for printing Journals of Legislative Council—1837. | 48 8 0 | 100. | J. P. Collins, C. C. being amount of his quarterly account. | 32 11 8 |
| | April 12. | | 101. | Edward Thornton, Deputy Clerk of the Crown for King's County, being his fees in Crown Prosecutions. | 8 16 1½ |
| 77. | The Chief Justice, being 1 quarter's travelling allowance. | 25 0 0 | 102. | Edward Thornton, do. being his disbursements in Crown Prosecutions. | 6 12 9 |
| 78. | T. H. Haviland, Treasurer, being his quarter's salary. | 125 0 0 | 103. | Miss Chappell, Postmistress, being to pay expenses of Eastern Mails, for 13 trips. | 12 13 11½ |
| 79. | J. S. Smith, Collector of Impost, Charlotte- town District, being his quarter's salary. | 65 0 0 | 104. | Miss Chappell, do. being to pay expenses of Western Mails, for 13 trips. | 18 4 0 |
| 80. | J. S. Smith, do. being a sum voted by Legislature for Clerk, Office Rent, and contingencies of his office. | 40 0 0 | 105. | Miss Chappell, do. being to pay expenses of Georgetown Mail, for 13 trips. | 15 12 0 |
| 81. | P. Cody, Sub-Collector of Customs, being his quarter's salary. | 10 0 0 | 106. | George Wright, Commissioner for establishing Boundaries of Counties, &c. being his account for fixing Point of Com- mencement of division lines of Town- ships 7 and 8. | 15 0 0 |
| 82. | J. Pope, do. being his quarter's salary. | 10 0 0 | 107. | G. R. Goodman, being as above. | 15 0 0 |
| 83. | Charles M'Nutt, do. being his quarter's salary. | 10 0 0 | 108. | William Cundall, being as above. | 15 0 0 |
| 84. | Hugh Macdonald, do. being his quarter's salary. | 10 0 0 | 109. | G. Wright, jun., Surveyor, being his account for attending the above Commissioners, as certified by them. | 9 15 0 |
| 85. | W. S. Macgowan, do. being his quarter's salary. | 10 0 0 | 110. | G. Wright, jun., do. being his account for running line of road from Monaghan Settlement Road, Lot 36, to Three River Road, and for a Plan of the Island, furnished Lieu- tenant Governor. | 14 13 6 |
| 86. | A. Lane, Adjutant General, &c., of Militia, being his quarter's salary. | 18 15 0 | 111. | William Cooper, Member of Assembly, being the sum voted for his services in 1837, including travelling charges. | 8 6 8 |
| 87. | Rev. J. Waddell, Master of Academy, being his quarter's salary. | 37 10 0 | 112. | Donald Macdonald, Schoolmaster, being for duties as such at Lot 45, for 8 months, ending 20th July, 1837—1st Class. | 5 13 4 |
| 88. | Alexander Brown, do. being his quarter's salary. | 37 10 0 | 113. | Daniel Scott, 2d class Schoolmaster, being for duties as such at Savage Harbour. | 12 0 0 |
| 89. | Alexander Brown, do. being a sum voted to him as Secretary to Board of Education. | 15 0 0 | 114. | J. Slattery, 2d class Schoolmaster, being for duties as such at Lot 47, East Point. | 20 0 0 |
| 90. | John M'Neill, Visiter of Schools, being his quarter's salary. | 25 0 0 | 115. | George Dalrymple, Speaker of the House of Assembly being the sum voted for his services in the last session. | 60 0 0 |
| 91. | J. Breading, Master of National School, being his quarter's salary. | 6 5 0 | | | |
| 92. | James Moore, Wharfinger, being his quarter's salary. | 10 0 0 | | | |
| 93. | Clear Lallow, Market Clerk, being his quarter's salary. | 10 0 0 | | | |
| 94. | J. Rider, Messenger, being his quarter's salary. | 10 0 0 | | | |
| 95. | R. Hutchinson, Jailer, Charlottetown, being his quarter's salary. | 10 0 0 | | | |
| 96. | D. M'Phee, do. King's County, being his quarter's salary. | 7 10 0 | | | |
| 97. | R. Wood, do. Prince County, being his quarter's salary. | 7 10 0 | | | |

| No. | April 12. | £ | s. | d. | No. | April 12. | £ | s. | d. |
|------|---|-----|----|----|------|--|-----|----|----|
| 116. | Edward Palmer, Member of the House of Assembly, being as above. | 30 | 0 | 0 | 136. | J. Rider, Messenger to Council, being as above, including small account for sundries supplied the Council. | 28 | 15 | 9 |
| 117. | C. Binns, do. being as above. | 30 | 0 | 0 | 137. | Moses Hayes, Doorkeeper, being as above. | 23 | 1 | 6 |
| 118. | Samuel Nelson, do. being as above. | 30 | 0 | 0 | 138. | Charles Desbrisay, Deputy Clerk of Legislative Council, being for preparing an Index to Journals of 1837, as certified by the President. | 7 | 10 | 0 |
| 119. | William Douse, do. being as above. | 30 | 0 | 0 | 139. | Rev. L. C. Jenkins, Chaplain to both Houses during the past session, being according to Resolutions of both Houses. | 40 | 0 | 0 |
| 120. | Edward Thornton, do. being as above, including travelling allowance. | 34 | 0 | 0 | 140. | James Watts, being for supplying the Jail of Charlottetown with 110 cords of Wood, according to contract, as certified by Deputy Sheriff. | 41 | 0 | 5 |
| 121. | J. Pope, do. being as above. | 34 | 16 | 0 | 141. | Robert Hutchinson, Jailer, Charlottetown, being a sum voted to remunerate him for his trouble and expence in taking care of persons labouring under mental derangement, committed to his custody. | 10 | 0 | 0 |
| 122. | William Clark, do. being as above. | 35 | 6 | 8 | 142. | Elizabeth Chappell, Postmistress, being for conducting the business of the Inland Mails during last year. | 20 | 0 | 0 |
| 123. | Thomas M'Nutt, do. being as above. | 35 | 6 | 8 | 143. | Donald Mackinnon, being to indemnify him for damage sustained in consequence of a public road having been run through his farm, as voted in Appropriation Act. | 15 | 0 | 0 |
| 124. | Samuel Green, do. being as above. | 35 | 14 | 8 | 144. | Charles Stockdale, being a sum voted to indemnify him for the expence of removing an Out-house, at present on the road lately opened through the Royalty of Charlottetown. | 10 | 0 | 0 |
| 125. | Peter M'Callum, do. being as above. | 34 | 8 | 0 | 145. | Jabez Barnard, Carpenter, being a sum voted for work done at the National School, in January 1837. | 8 | 19 | 9 |
| 126. | J. W. James, do. being as above. | 32 | 0 | 0 | 146. | Smiths & Wright, being a sum voted for work done at the Central Academy. | 34 | 10 | 10 |
| 127. | William Cullen, Clerk of the House of Assembly, being for his services last Session, including Stationery, as certified by the Speaker of the House. | 202 | 12 | 7 | 147. | Smiths & Wright, being a sum voted for work done at the National School. | 14 | 13 | 3 |
| 128. | Solomon Desbrisay, Sergeant at Arms, being as above. | 51 | 0 | 0 | 148. | Smiths & Wright, being for work done at Government House, as voted. | 199 | 14 | 6 |
| 129. | Solomon Desbrisay, do. being for sundries supplied to the House during the session. | 29 | 11 | 0 | 149. | John Easton, being a sum voted for work done at Government House. | 18 | 18 | 6 |
| 130. | H. W. Lobban, Messenger, being for his services during last session, as certified by the Speaker. | 25 | 17 | 6 | 150. | H. Narraway, being a sum voted for work done at Government House. | 10 | 5 | 0 |
| 131. | William Birch, Doorkeeper, being as above. | 23 | 14 | 0 | | | | | |
| 132. | J. D. Haszard, Queen's Printer, being for incidental printing for the House during the session. | 3 | 0 | 0 | | | | | |
| 133. | J. B. Cooper & Co., Printers, being for incidental printing during the last session. | 14 | 8 | 9 | | | | | |
| 134. | J. P. Collins, Clerk of the Legislative Council, being for his services during the past session, as certified by the President of the Council, including Stationery. | 140 | 1 | 4 | | | | | |
| 135. | J. C. Wright, Usher of the Black Rod, being for his services during past session, as certified by the President of the Council. | 34 | 10 | 0 | | | | | |

| No. | April 12. | £ s. d. | No. | April 12. | £ s. d. |
|--|--|---------|--|---|---------|
| 151. James Millner, | being a sum voted for work done at Government House. | 22 10 6 | 169. James Simpson, sen., New London, | being voted towards support of J. J. Artman Batture, an aged and infirm pauper. | 5 0 0 |
| 152. William Birch, | being a sum voted for work done at Government House. | 5 12 0 | 170. Andrew Coffin, St. Peter's Bay, | being a sum voted towards support of Martin Dwyer, an aged and infirm pauper. | 5 0 0 |
| 153. Isaac Smith, | being a sum voted for a Plan of a new Colonial Building. | 10 0 0 | 171. Donald Macdonald, Glenaladale, | being a sum voted towards support of Mary M'Leod, of Fort Augustus, widow. | 5 0 0 |
| 154. The Churchwardens of Charlotte Parish, | being the Assessment on the Government Pews in St. Paul's Church, as voted by Legislature. | 10 10 0 | 172. Charles M'Nutt, | being a sum voted towards support of William Gain, of Lot 18, a person deaf and dumb. | 5 0 0 |
| 155. J. D. Cantelo, | being a sum voted to him for cleaning several stand of arms. | 25 0 0 | 173. J. L. Lewellin, Esq. | being a sum voted towards the support of John Griffin, of Township 61, an idiot. | 5 0 0 |
| 156. Mrs. H. Bullpitt, | being a sum voted for conducting a preparatory school in Charlottetown. | 7 10 0 | 174. F. Longworth, Esq. | being a sum voted towards support of Johanna Redmond, of Lot 34, and her daughter, in indigent circumstances. | 5 0 0 |
| 157. Daniel Quigley, an infirm pauper, Lot 18, | being a sum voted to him. | 5 0 0 | 175. The Ladies' Benevolent Society, | being a sum voted, to be expended by them as follows: | 39 0 0 |
| 158. Amable Bernard, do., Lot 50, | being as above. | 5 0 0 | For relief of David Frisby, | £5 0 0 | |
| 159. Rev. J. Maclellan, | being for support and safe keeping of Alexander Finlayson, of Little Sands, a lunatic. | 10 0 0 | For relief of J. Macnamara, | 5 0 0 | |
| 160. Rev J. Maclellan, | being voted towards the support of James Maddox, of Newtown, a blind person. | 8 0 0 | For the relief of J. Conway, | 6 0 0 | |
| 161. Rev. J. Maclellan, | being voted towards the support of Christiana M'Phee, of Lot 57, in indigent circumstances. | 5 0 0 | For the relief of W. Purcell, | 10 0 0 | |
| 162. Ann M'Gillivray, Lot 54, widow, | being voted towards the support of her son, a lunatic. | 7 0 0 | For the relief of H. Frieze, | 10 0 0 | |
| 163. Elizabeth Le Page, Lot 49, | being voted towards the support of her husband, a lunatic. | 10 0 0 | For wearing apparel for Mrs. Patience. | 3 0 0 | |
| 164. Charles Russell, | being voted to him as an aged and infirm Teacher. | 5 0 0 | 176. John Macdonald, junr., Allisary, | being a sum voted towards the support of a family named Jackson, near Mount Stewart, in indigent circumstances. | 6 0 0 |
| 165. John Ready, a blind person, | being a sum voted to him. | 7 10 0 | 177. James Macdonald, Lot 27, in indigent circumstances, | being a sum voted to him. | 5 0 0 |
| 166. Archibald M'Niven, Lot 30, | being a sum voted towards the support his two sons, who are idiots. | 6 0 0 | 178. William M'Neill, a blind person, | being a sum voted to him. | 5 0 0 |
| 167. Rev. Sylvanus Perry, | being a sum voted towards support of William and Margaret Holmes, two aged and infirm persons, at Mascouche. | 10 0 0 | 179. Rev. Sylvanus Perry, | being a sum voted towards the support of the mother of Christiana M'Neill, of Lot 18. | 5 0 0 |
| 168. James Simpson, sen. New London, | being for the support of three blind persons named M'Kay. | 12 0 0 | 180. — Pendergrass, of Lot | being a sum granted to him towards his support, being in indigent circumstances. | 5 0 0 |
| | | | 181. J. S. Macdonald, Member of House of Assembly, | being a sum voted to him for his services last session, including travelling allowance. | 30 18 8 |
| | | | 182. J. Ramsay, do. | being as above. | 36 4 0 |

| No. | April 19. | £ s. d. | No. | June 14. | £ s. d. |
|------|--|---------|------|---|----------|
| 183. | Central Agricultural Society, being a sum voted in aid of the objects of that Institution, to be expended in the importation of Live Stock, to be sold at public auction in this Island. | 150 0 0 | 196. | James Peake, late Sheriff of Queen's County, being a sum voted for his services as such for past year. | 20 0 0 |
| 184. | Ditto, being as above, to be expended in the purchase of Seeds and Agricultural Implements for the use and benefit of the St. Margaret's Branch Agricultu- ral Society. | 40 0 0 | 197. | Thomas Owen, late Sheriff of King's County, being as above. | 20 0 0 |
| | May 2. | | 198. | Joseph Pope, late Sheriff of Prince County, being as above. | 20 0 0 |
| 185. | J. P. Collins, being on account of Roads and Bridges for the present year. | 70 0 0 | 199. | Thomas Owen, late Sheriff of King's County, being amount of his annual account of expenses incurred for Jail of that County. | 38 19 1½ |
| | May 3. | | 200. | Joseph Pope, late Sheriff of Prince County, being as above. | 55 10 6 |
| 186. | Robert Hodgson, Attorney General, being amount of his account for crown prosecutions last March Term. | 5 19 9 | 201. | Gooldrop & Lang, being for 9 trips with the Winter Mails, at £6 per trip. | 54 0 0 |
| 187. | Robert Hodgson, do. being amount of his account for sundry services. | 30 11 4 | 202. | Elizabeth Chappell, Postmistress, being to pay expenses of past Winter's Mails between Cape Traverse and Cape Tormentine, £34 Halifax Cur- rency, at 15 per cent. | 39 2 0 |
| 188. | J. D. Haszard, Queen's Printer, being amount of his quarterly account to 31st March last. | 44 7 10 | 203. | J. H. White, being for carrying the Mail to Pictou one trip. | 8 0 0 |
| 189. | J. Peake, High Sheriff of Queen's County, being amount of his annual account for past year, as certified by the Honorables T. H. Haviland and John Brecken. | 54 12 7 | 204. | President and Committee of Prince- town Agricultural Society, being a sum voted by Legislature. | 40 0 0 |
| 190. | Trustees of St. Andrew's College, being the sum voted to that Institution by the Legislature. | 50 0 0 | 205. | Angus M'Eachern, being on account of his contract for building a Wharf at M'Connel's Ferry, Hillsborough River, part of the £50 voted for that purpose. | 10 0 0 |
| 191. | Eastern Agricultural Society, being a sum voted last session in aid of the funds of that Society. | 40 0 0 | 206. | Solomon Desbrisay, being for a set of standard Weights & Measures supplied to the Assayer of Princetown Royalty. | 7 12 2 |
| 192. | St. Eleanor's Agricultural Society, being as above. | 40 0 0 | 207. | Taylor & Boyle, being their account for repairing the Dam leading to Government House. | 12 12 0 |
| 193. | Thomas Barrett, being a sum allowed to him for keeping the ice from the sills of Mount Stewart Bridge last winter, and some small repairs to said Bridge. | 5 5 0 | 208. | President and Committee of the Be- deque Agricultural Society, being the sum voted by the Legislature. | 40 0 0 |
| 194. | Rev. J. MacIennan, being a sum placed at his disposal towards the maintenance of four luna- tics, named Ewen M'Leod, Donald Munn, John M'Aulay and John Camp- bell. | 10 0 0 | | June 26. | |
| | May 19. | | 209. | James Richards, being a sum allowed to him towards the support of an insane woman named Johanna Welsh, residing at Murray Harbour. | 6 0 0 |
| 195. | J. P. Collins, being on account of Roads and Bridges for the present year. | 65 0 0 | | | |

| No. | July 2. | £ | s. | d. | No. | July 6. | £ | s. | d. |
|------|--|-----|----|----|------|--|-----|----|-----|
| 210. | Angus M'Eachern, - - being in full of his Contract for building a Wharf at M'Connel's Ferry, Hillsborough River, part of the £50 voted. | 40 | 0 | 0 | 229. | Clear Lallow, Market Clerk, - being his quarter's salary. | 10 | 0 | 0 |
| | July 3. | | | | 230. | John Rider, Messenger to Council, &c. being his quarter's salary. | 10 | 0 | 0 |
| 211. | Hector M'Fadyen & Hector M'Niven, being the first instalment on their Contract, to erect a new Breastwork, &c. to Queen's Wharf. | 20 | 0 | 0 | 231. | R. Hutchinson, Jailer, Queen's County, being his quarter's salary. | 10 | 0 | 0 |
| 212. | J. P. Collins, - - - being on account of Roads and Bridges for the current year. | 72 | 0 | 0 | 232. | D. Macphee, Jailer, King's County, being his quarter's salary. | 7 | 10 | 0 |
| | July 4. | | | | 233. | R. Wood, Jailer, Prince County, being his quarter's salary. | 7 | 10 | 0 |
| 213. | Daniel Campbell, - - - being the balance due on his Contract, for a Block and Bridge to Georgetown Wharf, part of £90, voted in 1836. | 49 | 15 | 0 | 234. | J. P. Collins, Secretary and Registrar, being his quarter's account, including £7 10s. Lieut. Governor's fees. | 70 | 12 | 5 |
| | July 6. | | | | 235. | J. P. Collins, C. C. - - - being his quarterly account. | 61 | 9 | 0 |
| 214. | The Chief Justice, - - - being one quarter's travelling allowance. | 25 | 0 | 0 | 236. | J. D. Haszard, Queen's Printer, - being his quarterly account. | 108 | 4 | 2 |
| 215. | T. H. Haviland, Treasurer, - being his quarter's salary. | 125 | 0 | 0 | 237. | C. Nicholson, - - - being his quarterly allowance, for support of his brother, a lunatic. | 5 | 0 | 0 |
| 216. | J. S. Smith, Collector of Impost, being his quarter's salary. | 65 | 0 | 0 | 238. | Elizabeth Chappell, Postmistress, - being to pay for 13 trips of the Western Mail, at 28s. | 18 | 4 | 0 |
| 217. | Charles Macnutt, Sub-Collector of Customs, - - - being his quarter's salary. | 10 | 0 | 0 | 239. | Ditto, Ditto, - - - being to pay for 13 trips of the Eastern Mail. | 14 | 12 | 11½ |
| 218. | Joseph Pope, Ditto, - - - being his quarter's salary. | 10 | 0 | 0 | 240. | Ditto, Ditto, - - - being to pay for 13 trips of the Three Rivers' Mail. | 15 | 12 | 0 |
| 219. | Hugh Macdonald, Ditto, - being his quarter's salary. | 10 | 0 | 0 | 241. | Ralph Brecken, High Sheriff, - being expenses, &c. incurred in carrying a line of road from Lot 36, through Lots 48 and 49, under Road Compensation Act. | 22 | 18 | 6 |
| 220. | W. S. Macgowan, Ditto, - being his quarter's salary. | 10 | 0 | 0 | 242. | J. C. Sims, Deputy Provost Marshal, being for fees and expenses incurred at a sitting of the Vice Admiralty Court. | 14 | 1 | 6 |
| 221. | A. Lane, Adjutant Gen. of Militia, being his quarter's salary. | 18 | 15 | 0 | 243. | Donald Macphee, - - - being his account for supplying Fuel to the Jail of Georgetown, according to Contract. | 20 | 8 | 0 |
| 222. | John Macneill, Visiter of Schools, being his quarter's salary. | 25 | 0 | 0 | 244. | James Watts, - - - being for supplying the Jail of Charlottetown with Bread, according to Contract. | 20 | 2 | 6 |
| 223. | Rev. J. Waddell, Master of Academy, being his quarter's salary. | 37 | 10 | 0 | 245. | T. H. Haviland, Treasurer, - being to pay £14 16 8, sterling, to R. Silvester & Co., of London, for 8,000 Five Shilling Treasury Notes, ordered by him, in pursuance of a Minute of Council, of June 11th, 1835, being at the rate of 32½ per centum premium. | 21 | 16 | 9 |
| 224. | Alexander Brown, Ditto, - being his quarter's salary. | 37 | 10 | 0 | | | | | |
| 225. | James Breading, Master of National School, - - - being his quarter's salary. | 6 | 5 | 0 | | | | | |
| 226. | B. De St. Croix, - - - being a half-year's allowance as Medical attendant at the Jail. | 5 | 0 | 0 | | | | | |
| 227. | Solomon Desbrisay, Assayer of Weights and Measures, - - - being his half-year's salary. | 5 | 0 | 0 | | | | | |
| 228. | James Moore, Wharfinger, - being his quarter's salary | 10 | 0 | 0 | | | | | |

| No. | July 6. | £ | s. | d. | No. | July 27. | £ | s. | d. |
|------|---|----|----|----|-----------|--|----|----|----|
| 246. | Jane Cameron, 1st Class Teacher, being for keeping School in Charlotte-town, for past 12 months, ending 1st June. | 12 | 0 | 0 | 259. | J. P. Collins, - - - being as above. | 40 | 0 | 0 |
| 247. | Michael M'Carty, 1st Class Teacher, being for keeping School at Lot 48, for past 12 months, ending 5th June. | 12 | 0 | 0 | 260. | Roderick Mackinnon, - - - being the annual allowance to him as Ferryman at Ellis River, and being part of £15 voted for this service, in 1836. | 5 | 0 | 0 |
| 248. | W. Underhay, - - - being a sum allowed for support of a dumb child of Elizabeth Chaffey, of Lot 56, in indigent circumstances, part of £90, voted for safe-keeping of lunatics. | 3 | 0 | 0 | August 2. | | | | |
| 249. | P. S. Macnutt, - - - being to pay Compensation to owners of Lands through which the line of road from Darnley Bridge towards the New London Road passes, viz : Philip Roach, - £11 0 0 James Mountain, - 1 0 0 Benjamin Thomson, 3 0 0 | 15 | 0 | 0 | 261. | John Ronayne, 1st Class Schoolmaster, being for duties as such, at Lot 14, for the year ending July 20, 1838. | 12 | 0 | 0 |
| 250. | J. P. Collins, - - - being on account of Roads and Bridges for the present year. | 50 | 0 | 0 | 262. | Thomas Keys, Ditto, - being for duties as such, at Lot 11, for the year ending July 17, 1838. | 12 | 0 | 0 |
| 251. | Nathaniel Strang, Contractor for re-pairing Ellis River Bridge, - being the sum voted in 1837, in addition to the sum appropriated by the Committee of the House of Assembly, for the above purpose. | 20 | 0 | 0 | 263. | John Macneill, Ditto, - being for duties as such, at Bay Fortune, for the year ending July 27, 1838. | 12 | 0 | 0 |
| 252. | R. Hodgson, Attorney General, - being the amount of his Bill of Costs, under Road Compensation Act, and sundry other services. | 5 | 3 | 6 | 264. | Donald Lamont, Ditto, - being for duties as such, at Elliot River, for year ending July 20, 1838. | 12 | 0 | 0 |
| 253. | Ditto, Ditto, - - - being amount of his Bill of Costs, for a Cause in Vice Admiralty Court. | 6 | 6 | 8 | 265. | W. H. Nelis, Ditto, - being for duties as such, at Bedeque, for year ending July 24, 1838. | 12 | 0 | 0 |
| 254. | Ditto, Ditto, - - - being amount of his Bill of Costs, for Crown prosecutions in Supreme Court. | 21 | 19 | 3 | 266. | Malcolm Darroch, Ditto, - being for duties as such, at Dog River, for year ending July 27, 1838. | 12 | 0 | 0 |
| 255. | John Lawson, Solicitor General, - being amount of his Bill of Costs, for Crown Prosecutions in Supreme Court. | 4 | 13 | 4 | 267. | Donald Graham, Ditto, - being for duties as such, at Orwell, for year ending July 27, 1838. | 12 | 0 | 0 |
| 256. | J. P. Collins, - - - being in aid of Roads and Bridges, for the present year. | 60 | 0 | 0 | 268. | John Mackinnon, Ditto, - being for duties as such at Ellis River, for year ending July 28, 1838. | 12 | 0 | 0 |
| 257. | J. P. Collins, - - - being in aid of Roads and Bridges. | 30 | 0 | 0 | 269. | Daniel Hodgson, Clerk of the Crown, being the amount of his fees in Crown Prosecutions, in Queen's County. | 17 | 13 | 3 |
| 258. | Ditto, - - - being as above. | 15 | 0 | 0 | 270. | Ditto, Ditto, - - - being amount of his account for disbursements in Crown Prosecutions, in Queen's County. | 5 | 3 | 4 |
| | | | | | 271. | Edward Thornton, Deputy C. C. King's County, - - - being amount of his account for fees, &c. in Crown Prosecutions. | 5 | 6 | 4 |
| | | | | | 272. | Wm. Coates, Deputy C. C., Prince County, - - - being amount of his account for fees in Crown prosecutions. | 6 | 7 | 7 |
| | | | | | 273. | Ditto, Ditto, - - - being amount of his disbursements, in Crown prosecutions. | 6 | 19 | 10 |
| | | | | | 274. | Daniel Hodgson, Registrar and Scribe of Vice Admiralty Court, - - being amount of his account for a Prosecution in said Court. | 15 | 7 | 4 |

| No. | August 2. | £ s. d. | No. | August 29. | £ s. d. |
|------|---|---------|------|--|---------|
| 275. | Daniel Hodgson, Coroner, - - - being amount of his fees and other ex- penses, in holding 5 Inquests. | 34 16 4 | 287. | Hugh M ^c Intosh, - - - being amount of his contract for securing and repairing Hope River Wharf, part of £50, voted for that purpose. | 8 0 0 |
| 276. | Ralph Brecken, Sheriff of Queen's County, - - - - - | 7 6 8 | | August 30. | |
| | being amount of expenses for illumina- ting the Jail and Court House, on the occasion of Her Majesty's Coronation. | | 288. | J. P. Collins, - - - being in aid of Roads and Bridges, for the present year. | 30 0 0 |
| 277. | Richard Partridge, - - - - - | 15 15 0 | | September 3. | |
| | being amount of his Contract for re- pairing the Ferry House, at Lot 48, opposite Charlottetown. | | 289. | J. P. Collins, - - - being as above. | 40 0 0 |
| 278. | R. Hyndman, J. P., - - - - - | 9 16 0 | 290. | J. P. Collins, - - - being as above. | 57 10 0 |
| | being for his expenses going twice to Cascumpec, to take affidavits respect- ing American fishermen, plundering a wreck at North Cape. | | | September 4. | |
| | August 8. | | 291. | J. P. Collins, - - - being as above. | 25 0 0 |
| 279. | J. P. Collins, - - - - - | 45 0 0 | 292. | Hector M ^c Niven & Hector M ^c Fadyen, being their second instalment on their contract to erect a new Breastwork, &c., to the Queen's Wharf. | 20 0 0 |
| | being on account of Roads and Brid- ges, for the present year. | | | September 5. | |
| | August 9. | | 293. | J. P. Collins, - - - being on account of Roads and Bridges. | 30 0 0 |
| 280. | Ditto, Ditto, - - - - - | 25 0 0 | 294. | J. P. Collins, - - - being as above. | 23 0 0 |
| | being as above. | | | September 6. | |
| 281. | The Speaker of the House of Assem- bly, - - - - - | 60 0 0 | 295. | J. P. Collins, - - - being on account of Roads & Bridges for the present year. | 100 0 0 |
| | being the sum voted in Sessions of 1837 and 1838, for the purchase of Books for Library of the House. | | 296. | Placide Arseneaux, - - - being for 12 months as Acadian Teacher at Grand Rustico, to Sept. 1, 1838. | 5 0 0 |
| | August 10. | | 297. | J. R. Bott, Acadian Teacher, being for services as such at Rustico, to June 22, 1838. | 5 0 0 |
| 282. | John Macleod, - - - - - | 14 10 0 | 298. | Louis Serriat, do. - - - being for duties as such at Rollo Bay, to July 5, 1838. | 5 0 0 |
| | being for work on Anderson's road, in Queen's County, and from Scotch Set- tlement on said road to Haslam's, part of £130, voted last session for that purpose. | | 299. | Sebastian Davidson, - - - 1st class Teacher at Princetown, for the year ending July 31, 1838, being the annual allowance. | 12 0 0 |
| | August 28. | | 300. | Neil M ^c Kinnon, - - - 1st class Teacher at Belle Creek, for the year ending July 28, 1838, being the annual allowance. | 12 0 0 |
| 283. | J. P. Collins, - - - - - | 40 0 0 | 301. | Alexander Anderson, - - - being his account of expenses for run- ning a new line of road from Hill's Mills to Portage, on Lot 1—and also, a new line of road from West Cape, between Lots 7 & 8, to the Main Wes- tern Road. | 55 7 6 |
| | being in aid of Roads and Bridges, for the present year. | | | | |
| 284. | Ditto, - - - - - | 38 0 0 | | | |
| | being as above. | | | | |
| 285. | James Bell, - - - - - | 42 0 0 | | | |
| | being the amount of his contract for two additional Blocks to Hope River Wharf, part of the sum of £50, voted for the purpose last session. | | | | |
| 286. | Donald Macneill, Mills, M ^c Innis and others, - - - - - | 12 7 0 | | | |
| | being the amount of their contracts on Anderson's Road, Queen's County, and from Scotch Settlement, said road, to Haslam's, part of £130, voted for that purpose. | | | | |

| No. | September 6. | £ s. d. | No. | October 4. | £ s. d. |
|------|---|----------|------------|--|----------|
| 302. | Richard Wood, - - being his account for boarding and lodging Lydia Murray, of St. Eleamor's, a lunatic, at 10s. per week. | 5 10 0 | 314. | Angus M'Cormack, - being the amount of his contract for opening half a mile of road leading from Cardigan to Mount Stewart Bridge— part of £140 voted. | 21 15 0 |
| 302. | James Millner, - - being the amount of his account for making and fixing a Stovepipe, &c., at the National School in 1837, by order of Sir J. Harvey, and omitted to be rendered in the Estimate submitted to the Assembly last session. | 3 5 7 | October 8. | | |
| 304. | J. O. Nantes, Deputy Registrar, being £15 voted by Legislature for completing an Index to Books of Re- gistry, and a further sum of £9 recom- mended to be applied towards same purpose by a Committee of the House of Assembly, on the 6th April last. | 24 0 0 | 315. | The Chief Justice, - being his quarter's travelling allowance. | 25 0 0 |
| 305. | Smiths & Wright—Joint Committee of Council and Assembly— - being to pay the amount of their ac- count for painting, &c. done at Govern- ment House. | 123 6 9 | 316. | T. H. Haviland, Treasurer, being his quarter's salary. | 125 0 0 |
| 306. | Smiths & Wright—Joint Committee of Council and Assembly— being to pay the amount of their ac- count for gates, fences and sundry work at Government House. | 84 16 1½ | 317. | J. Spencer Smith, Collector of Impost, being his quarter's salary. | 65 0 0 |
| 307. | Malcolm McKinnon, - - being the amount of his contract for making a piece of road from Haslams' to the Scotch Settlement on Anderson's Road—part of £130 voted. | 10 9 0 | 318. | Joseph Pope, Sub-Collector of Customs, being his quarter's salary. | 10 0 0 |
| | September 22. | | 319. | Charles M'Nutt, do. - being his quarter's salary. | 10 0 0 |
| 308. | J. P. Collins, - - being on account of Roads and Bridges for the present year. | 23 0 0 | 320. | H. Macdonald, do. - - being his quarter's salary. | 10 0 0 |
| | September 27. | | 321. | W. S. Macgowan, do. - being as above. | 10 0 0 |
| 309. | J. P. Collins, - - being as above. | 20 0 0 | 322. | A. Lane, Adjutant General of Militia, being his quarter's salary. | 18 15 0 |
| | September 29. | | 323. | Rev. J. Waddell, Master of Academy, being his quarter's salary. | 37 10 0 |
| 310. | J. P. Collins, - - being as above. | 34 12 6 | 324. | Alexander Brown, do. - being his quarter's salary. | 37 10 0 |
| | October 1. | | 325. | James Breeding, Master of National School, - - - being his quarter's salary. | 6 5 0 |
| 311. | Donald McKinnon, - - being his contract for road from Haslam's to Anderson's Road—part of £130 voted for that purpose. | 17 8 0 | 326. | James Moore, Wharfinger, being his quarter's salary. | 10 0 0 |
| | October 2. | | 327. | C. Lallow, Market Clerk, - being his quarter's salary. | 10 0 0 |
| 312. | J. P. Collins, - - being on account of Roads and Bridges for the present year. | 22 10 0 | 328. | John Rider, Messenger, &c. being his quarter's salary. | 10 0 0 |
| | October 3. | | 329. | R. Hutchinson, Jailer, Queen's County, being his quarter's salary. | 10 0 0 |
| 313. | J. P. Collins, - - being as above. | 64 17 0 | 330. | D. M'Phee, do. King's County, being his quarter's salary. | 7 10 0 |
| | | | 331. | Richard Wood, do., Prince County, being his quarter's salary. | 7 10 0 |
| | | | 332. | J. P. Collins, Colonial Secretary, being his quarterly account, including £8 14s. 5d. Lieut. Governor's fees. | 29 14 9½ |
| | | | 333. | J. P. Collins, C. C. - - being his quarter's account. | 37 1 8 |
| | | | 334. | C. Nicholson, - - - being one quarter's allowance for support of his brother, a lunatic. | 5 0 0 |
| | | | 335. | J. D. Haszard, Queen's Printer, being his quarter's account. | 29 19 4 |
| | | | 336. | Elizabeth Chappell, Postmistress, being to pay expenses of the Eastern Mail, for 13 trips. | 14 5 9 |

| No. | October 8. | £ s. d. | No. | October 19. | £ s. d. |
|--|-------------|---------|--|-------------|---------|
| 337. Elizabeth Chappell, | - | 18 4 0 | 354. J. P. Collins, | - - - | 27 3 0 |
| being expenses of Western Mail, for 13 trips. | | | being as above. | | |
| 338. Elizabeth Chappell, | - | 15 12 0 | | October 20. | |
| being expenses of Three Rivers Mail, for 13 trips. | | | 355. Malcolm Campbell, | - - | 5 0 0 |
| 339. John Macgowan, Commissioner of Statute Labour, | - - | 10 0 0 | being the sum voted for repairing the Slip on the North side of Ellis River Ferry. | | |
| being the annual allowance. | | | | October 29. | |
| 340. J. McCallum, do. | - | 10 0 0 | 356. J. P. Collins, | - - | 25 0 0 |
| being the annual allowance. | | | being on account of Roads & Bridges, for the present year. | | |
| 341. Thomas Todd, do. | - - | 10 0 0 | 357. J. P. Collins, | - - | 25 0 0 |
| being the annual allowance. | | | being as above. | | |
| 342. Josiah Chappell, | - - | 5 0 0 | 358. J. P. Collins, | - - | 25 0 0 |
| being amount of his contract for fixing new Pump in Jail Yard. | | | being as above. | | |
| 343. A. McCabe, Schoolmaster, | - | 12 0 0 | 359. Alexander Stewart, | - - | 12 15 0 |
| being for duty as first class Teacher at Lytchette Mills, for the year ending 28th 1838. | | | being the amount of his contract for opening half a mile of road leading from Cardigan to Mount Stewart Bridge —part of £140 voted. | | |
| 344. Charles Desbrisay, | - | 7 10 0 | | November 1. | |
| being a sum allowed to him by Resolution of Legislative Council, for preparing an Index to Journals of last session. | | | 360. Norman Campbell, | - - | 50 0 0 |
| 345. J. B. Cooper & Co., Printers, | | 4 15 0 | being the sum voted towards building a Wharf at Eoin's Point, Pinette, in addition to the sum of £32 11s. subscribed by the inhabitants. | | |
| being amount of their account for Public Printing, Advertisements, &c. | | | | November 8. | |
| | October 12. | | 361. J. Gaudet, Acadian Teacher, | | 5 0 0 |
| 346. J. P. Collins, | - - | 20 0 0 | being for duties as such at Mascouche, for year ending 12th October. | | |
| being on account of Roads and Bridges, for the present year. | | | 362. Antoine Perry, do. | - - | 5 0 0 |
| 347. John McNeill, Visiter of Schools, | | 25 0 0 | being for duties such at Fifteen Point, for the year ending October 12. | | |
| being his quarter's salary. | | | 363. A. Gallant, do. | - - | 2 18 0 |
| 348. J. P. Collins, | - - | 33 8 0 | being for duties as such at Ructico, for 7 months, ending 25th March last. | | |
| being on account of Roads and Bridges, for the present year. | | | 364. J. Petre, do. | - - - | 5 0 0 |
| | October 15. | | being for duties as such at North Cape, for year ending | | |
| 349. J. P. Collins, | - | 26 13 0 | 365. Neil Arbuckle, 1st class Teacher, | | 12 0 0 |
| being as above. | | | being for duties as such at Lot 67, for the year ending 1st October. | | |
| 350. Benjamin Balderston, | - - | 50 0 0 | 366. P. Ryan do., | - - - | 12 0 0 |
| being the sum voted in Appropriation Act towards building Hermitage Creek Bridge. | | | being for duties as such at Guernsey Cove, for year ending 1st October. | | |
| | October 17. | | 367. Roderick Campbell do. | - - | 12 0 0 |
| 351. J. P. Collins, | - - | 33 5 0 | being for duties as such at Montague River, for year ending 9th October. | | |
| being on account of Roads and Bridges for the current year. | | | 368. J. McKinnon, do. | - - | 12 0 0 |
| | October 18. | | being for duties as such at Flat River, for year ending 9th September. | | |
| 352. J. P. Collins, | - - | 33 15 0 | 369. R. Hodgson, Attorney General, | | 8 8 7½ |
| being as above. | | | being Bill for costs of Crown Prosecutions in Prince County. | | |
| 353. J. P. Collins, | - - | 34 9 0 | | | |
| being as above. | | | | | |

| No. | November 8. | £ s. d. | No. | December 6. | £ s. d. |
|--------------|---|---------|--------------|--|---------|
| 370. | R. Hodgson, Attorney General, being his Bill of Costs for sundry services. | 10 1 10 | 385. | D. M'Leod, do. being for duties as such at Johnston's River, for year ending 21st November. | 12 0 0 |
| 371. | William Coats, Deputy Clerk of the Crown, being his Bill of Costs for Crown Pro- secutions in Prince County. | 9 2 6½ | 386. | John Jardine, Commissioner of Statute Labour for the 11th District, being his annual allowance. | 10 0 0 |
| 372. | Daniel Hodgson, Coroner, being his Bill for holding Inquest on body of Thomas Kelly, found drowned —and another, body of Joseph Lewis, an Indian shot by another—verdict, wilful murder. | 16 8 1 | 387. | James Warburton, do., North Section of District No. 1, being his annual allowance. | 10 0 0 |
| 373. | J. Mackieson, Surgeon, being his charge for travelling 35 miles, and opening and demonstrating the body of Joseph Lewis to the Coroner and Jury. | 10 10 0 | 388. | Allan M'Dougal, do., District No. 10., being his annual allowance. | 10 0 0 |
| 374. | A. Campbell, Road Commissioner, being the annual allowance as such. | 10 0 0 | 389. | J. D. Haszard, Queen's Printer, being his account for printing Journals of the Legislative Council. | 45 5 0 |
| 375. | David Higgins, do. being the annual allowance as such. | 10 0 0 | 390. | Hector M'Fadyen & Hector M'Niven, being the balance of their contract for repairing the Queen's Wharf. | 110 0 0 |
| 376. | J. P. Collins, being in aid of Roads and Bridges, for the present year. | 22 0 0 | 391. | J. P. Collins, being in aid of Roads and Bridges for the present year. | 20 0 0 |
| 377. | Josh. Coats, Deputy Clerk of Crown, being his account for disbursements in Crown Prosecutions in Prince County. | 3 13 1½ | December 10. | | |
| November 17. | | | 392. | Alexander M'Donald, being amount of his contract for making one quarter of a mile of road from Mount Stewart to Cardigan, part of £140 voted for that purpose. | 9 17 6 |
| 378. | J. P. Collins, being in aid of Roads and Bridges, for the present year. | 19 10 0 | 393. | J. P. Collins, being in aid of Roads and Bridges, for the present year. | 150 0 0 |
| November 19. | | | December 17. | | |
| 379. | J. P. Collins, being as above. | 24 2 0 | 394. | J. P. Collins, being as above. | 20 0 0 |
| November 29. | | | December 21. | | |
| 380. | J. P. Collins, being as above. | 31 0 0 | 395. | Jeffry Pendergrass, being for making half a mile of road leading from Cardigan to Pisquid, part of £140 voted for that purpose. | 18 0 0 |
| 381. | A. Macdonald & Alexr. Gordon, being the amount of their contract on new road from Mount Stewart to Car- digan, and part of £140 voted for that purpose in 1838. | 23 10 0 | December 23. | | |
| December 6. | | | 396. | J. P. Collins, being in aid of Roads and Bridges, for the present year. | 20 0 0 |
| 382. | Allan Stewart, Teacher, 1st class, being for duties as such at Brackley Point, for year ending 21st December. | 12 0 0 | December 26. | | |
| 383. | Edmund Shea, do. being for duties as such at Little Road, for year ending 1st November. | 12 0 0 | 397. | Alexander M'Leod, being for two Contracts on road from Haslam's to Scotch Settlement, Lot 67, and part of £150 voted for that purpose. | 21 0 0 |
| 384. | John Le Page, do. being for duties as such at Lot 49, for year ending 20th November. | 12 0 0 | 398. | Alexander M'Leod, being for two contracts on the above road. | 13 10 0 |
| | | | December 28. | | |
| | | | 399. | J. P. Collins, being in aid of Roads & Bridges. | 20 0 0 |

| No. | December 28. | £ | s. | d. | No. | January 3. | £ | s. | d. |
|------|---|-----|----|----|-----|---|-----|----|-----|
| 400. | J. P. Collins, - - - being in aid of Roads and Bridges. | 20 | 0 | 0 | 21. | J. P. Collins, Colonial Secretary, being his quarterly account, including £1 13s. Lieut. Governor's Fees. | 6 | 17 | 6½ |
| 401. | J. P. Collins, - - - being in aid of Roads & Bridges, for the present year. | 20 | 0 | 0 | 22. | J. P. Collins, Clerk Council, - being his quarter's account, including £3 annual allowance for Stationery. | 49 | 9 | 0 |
| | December 31. | | | | 23. | J. D. Haszard, Queen's Printer, being his quarter's account for printing, stationery, &c. | 25 | 6 | 6 |
| 402. | J. P. Collins, - - - being as above. | 50 | 0 | 0 | 24. | C. Nicholson, - - - being a quarter's allowance for support of his brother, a lunatic. | 5 | 0 | 0 |
| | 1839, January 3. | | | | 25. | Elizabeth Chappell, Postmistress, being to pay expenses of the Eastern Inland Mails, for 13 trips. | 13 | 19 | 11½ |
| 1. | The Chief Justice, - being his quarter's travelling allowance. | 25 | 0 | 0 | 26. | Elizabeth Chappell, do. - - being to pay expenses of Western Inland Mails, for 13 trips. | 18 | 4 | 0 |
| 2. | T. H. Haviland, Treasurer, being his quarter's salary. | 125 | 0 | 0 | 27. | Elizabeth Chappell, do. - being to pay expenses of Three Rivers Mails, for 13 trips. | 15 | 12 | 0 |
| 3. | J. Spencer Smith, Collector of Impost, being his quarter's salary. | 65 | 0 | 0 | 28. | Elizabeth Chappell, do. - being to pay for two trips with Mails to Pictou and back, in sloop Triumph, in November and December last. | 20 | 0 | 0 |
| 4. | Charles M'Nutt, Sub-Collector of Customs, - - - being his quarter's salary. | 10 | 0 | 0 | 29. | Hon. S. Cunard, - - - being the annual amount voted for con- veying the Mails by Steam during the past summer. | 500 | 0 | 0 |
| 5. | Joseph Pope, do. - - being his quarter's salary. | 10 | 0 | 0 | 30. | J. P. Collins, Correspondent of Road Commissioners, - - - being the sum voted for his services as such. | 30 | 0 | 0 |
| 6. | H. Macdonald, do. - - being his quarter's salary. | 10 | 0 | 0 | 31. | Thomas Owen, Road Commissioner, being the annual allowance. | 10 | 0 | 0 |
| 7. | W. S. Macgowan, do. - being his quarter's salary. | 10 | 0 | 0 | 32. | Joseph Higgins, do. - - being the annual allowance. | 10 | 0 | 0 |
| 8. | A. Lane, Adjutant General of Militia, being his quarter's salary. | 18 | 15 | 0 | 33. | Solomon Desbrisay, do. - - being the annual allowance. | 10 | 0 | 0 |
| 9. | Rev. J. Waddell, Master of Academy, being his quarter's salary. | 37 | 10 | 0 | 34. | J. H. Fitzgerald, 1st Class Teacher, - being for duties as such, at Lot 19, for year ending December 1st, 1838. | 12 | 0 | 0 |
| 10. | Alexander Brown, do. - being his quarter's salary. | 37 | 10 | 0 | 35. | P. B. Doyle, 1st Class Teacher, - being for duties as such, in Charlotte- town, for year ending Dec. 8th, 1838. | 12 | 0 | 0 |
| 11. | James Breeding, Master of National School, - - - being his quarter's salary. | 6 | 5 | 0 | 36. | James Macdonnell, - - - being the amount of his Contract, for al- terations and improvements to Jail of Charlottetown. | 92 | 15 | 4 |
| 12. | James Moore, Wharfinger, - being his quarter's salary. | 10 | 0 | 0 | 37. | Donald Macphee, - - - being the amount of his Contract, for alterations and improvements to Jail of Georgetown. | 15 | 0 | 0 |
| 13. | John Rider, Messenger of Council, being his quarter's salary. | 10 | 0 | 0 | | | | | |
| 14. | Clear Lallow, Market Clerk, - being his quarter's salary. | 10 | 0 | 0 | | | | | |
| 15. | R. Hutchinson, Jailer, Queen's County, being his quarter's salary. | 10 | 0 | 0 | | | | | |
| 16. | Susan Hutchinson, Matron to Queen's County Jail, - - - being for salary from the 6th June last, at £15 per year. | 8 | 10 | 0 | | | | | |
| 17. | Donald M'Phee, Jailer, King's County, being his quarter's salary. | 7 | 10 | 0 | | | | | |
| 18. | Richard Wood, Jailer, Prince County, being his quarter's salary. | 7 | 10 | 0 | | | | | |
| 19. | Benjamin De St. Croix, M. D., Medical Attendant at Jail of Charlottetown, being his half year's allowance. | 5 | 0 | 0 | | | | | |
| 20. | Solomon Desbrisay, Assayer of Weights and Measures, - - - being his half year's allowance. | 5 | 0 | 0 | | | | | |

| No. | January 3. | £ | s. | d. | No. | January 8. | £ | s. | d. |
|-----|--|-----|----|-----|-------------|--|----|----|----|
| 38. | George Aitken, - - - being the amount of his Contract, for adding a Block and Bridge to the Georgetown Wharf. | 125 | 0 | 0 | 47. | John Ross, - - - being for a Contract for making part of the road from Haslam's to the Scotch Settlement, Lot 67, and part of the £150, voted for that purpose. | 10 | 15 | 0 |
| 39. | J. B. Cooper & Co., Printers, - being the amount of their Contract, for printing the Journals of the House of Assembly of last Session, as certified by the Speaker. | 135 | 11 | 6 | 48. | Donald Macneill and John Matthewson, being for their Contract on the above road. | 15 | 10 | 0 |
| 40. | A. Lane, Town Major, - - - being the amount of sundry expenses incurred in his department, during the past 12 months. | 11 | 4 | 11½ | 49. | Malcolm, John and Donald Macleod, being the amount of their several Con- tracts on the above road. | 7 | 0 | 0 |
| 41. | George Wright, jun., Deputy Surveyor General, - - - being the amount of his account, for sundry charges, plans, &c. | 12 | 3 | 1 | 50. | John Macneill, Visiter of Schools, - being his quarter's salary. | 25 | 0 | 0 |
| 42. | Isaac Smith, - - - being his account of sundry services in furnishing plans and inspections of public works. | 7 | 7 | 6 | January 11. | | | | |
| 43. | Commissioners for issuing Treasury Notes, - - - being 1½ per cent. allowed to them for issuing £3000 of Treasury Notes. | 45 | 0 | 0 | 51. | Ralph Brecken, High Sheriff of Queen's County, - - - being the amount of his account for fees and other expenses in holding the Queen's County and Charlottetown Elections. | 62 | 12 | 0 |
| 44. | T. H. Haviland, Treasurer, - being the amount of his small dis- bursements account. | 50 | 9 | 10½ | 52. | William Macgowan, High Sheriff of King's County, - - - being the amount of his account for fees and other expenses in holding the King's County and Georgetown Elec- tions. | 29 | 10 | 6½ |
| 45. | Joint Committee of Council and Assem- bly, - - - being the balance of £250, voted for work to be done during past year, at Government House. | 40 | 16 | 10½ | 53. | John Ramsay, High Sheriff of Prince County, - - - being the amount of his account for fees and other expenses in holding the Prince County and Princetown Elec- tions. | 61 | 10 | 8 |
| 46. | James Breading, Master of the National School, - - - being a sum allowed to him, by the 9th Section of the Act for the encou- ragement of Education. | 12 | 0 | 0 | 54. | J. P. Collins, - - - being in aid of Roads and Bridges. | 22 | 0 | 0 |
| | | | | | January 21. | | | | |
| | | | | | 55. | J. P. Collins, - - - being as above. | 22 | 0 | 0 |

DETAILED ACCOUNTS.

[SEE PAGE 72.]

SCHEDULE OF ACCOUNTS ORDERED BY THE HOUSE OF ASSEMBLY TO BE PRINTED.

| No. | No. |
|--|--|
| 1. Colonial Secretary's Account, April 3, 1838. | 15. Vice Admiralty Court : Deputy Provost Marshal's Account. |
| 2. Do. do. do. July 6. " | 16. Registrar & Scribe's do. |
| 3. Do. do. do. Oct. 8. " | 17. Attorney General's Bill. |
| 4. Do. do. do. January 3, 1839. | 18. Coroner's Account, July 24, 1838. |
| 5. Clerk of Executive Council's Account, April 12, 1838. | 19. Do. do. Aug. 5th & 31st, 1838. |
| 6. Do. do. do. July 6. " | 20. Sheriff of Queen's County's Account of Expenses of holding General Election. |
| 7. Do. do. do. Oct. 8. " | 21. Sheriff of Prince County's Account of do. |
| 8. Do. do. do. Jauuary 3, 1839. | 22. Sheriff of King's County's Account of do. |
| 9. Clerk of Legislative Council's Account. | 23. Smiths & Wright's account for repairs to Market-house. |
| 10. Queen's Printer's Account, for printing Journals of Legislative Council. | 24. Do. do. work at Government House. |
| 11. Queen's Printer's Account, for quarter ending March 31, 1838. | 25. Do. do. for painting at do. |
| 12. Do. do. for quarter ending June 30. | 26. Isaac Smith's Account, for preparing sundry specifications and estimates. |
| 13. Do. do. for quarter ending Sept. 30. | 27. Treasurer's Small Disbursements Account. |
| 14. Do. do. for quarter ending Dec. 31. | |

No. 1.

THE GOVERNMENT,

TO THE COLONIAL SECRETARY.

| 1838. | £ | s. | d. |
|---|---|----|------|
| January 1. Preparing Bond for Contractors for Fuel for Jail, - - - - - | | | 6 8 |
| Ditto, for Bread, - - - - - | | | 6 8 |
| 8. Grant of 600 acres, ordered by Secretary of State to Ronald M'Donald, - - - - - | 1 | 2 | 0 |
| Great Seal to do. - - - - - | | | 9 0 |
| Registering do. - - - - - | | | 10 0 |
| Lieutenant Governor's Fee, - - - - - | | | 10 0 |
| 29. 67 Searches, relating to Fishery Reservations, for Lieut. Governor, - - - - - | 3 | 7 | 0 |
| Extracts of do. - - - - - | | | 15 0 |
| 6 Searches for Licenses granted under said Reservations from dates of original Grants, - - - - - | | | 6 0 |
| Extracts of do. - - - - - | | | 8 0 |
| Copying Despatch and enclosures relative to Land Assessment Act, for Legislature, two copies, each 9504 words, - - - - - | 9 | 10 | 0 |
| 30. Copying Mr. Cooper's letter and correspondence that followed, for House of Assembly, 750 words, - - - - - | | | 7 6 |
| 31. Copying Despatch and Order in Council allowing Act relative to Ordnance property, for Legislature, each copy 363 words, - - - - - | | | 7 6 |
| February 5. Copying for Legislature, Despatch relative to penalties under Mutiny Act, 490 words, - - - - - | | | 5 0 |
| Do. Despatch on Prison Discipline, 350 words, - - - - - | | | 3 6 |

| | | Brought forward £ | |
|-------------|--|-------------------|-----------|
| | Copying Presentment of Grand Jury on same subject, 490 words, | 0 | 5 0 |
| February 8. | Do. Despatch, &c. allowing Acts passed in 1836 and 1837, for Legislature, each. 2980 words, | 2 | 19 9 |
| 9. | Do. above for Gazette, | 1 | 9 9 |
| 16. | Do. Despatch, &c. relative to commutation of Quit Rents, for House of Assembly, 900 words, | 0 | 9 0 |
| | Do. Despatch for Legislature on subject of Glebes, &c., each copy 5650 words, | 6 | 13 0 |
| 20. | Commission to Judge Barrow, | 0 | 10 0 |
| | Great Seal to do. | 0 | 9 0 |
| | Registering do. | 0 | 6 7½ |
| | Parchment, | 0 | 3 0 |
| | Lieut. Governor's fee, | 0 | 10 0 |
| 24. | Recording Order in Council allowing Acts passed in 1836 and 1837 | 1 | 9 9 |
| March 8. | Duplicate copy of extracts from records relative to Fishery Reservation, for Lieut. Governor, | 0 | 15 0 |
| | Duplicate copy of Extracts from Records of Licenses granted under above reservation, for Lieut. Governor, | 0 | 8 0 |
| 21. | Searches and Extracts from Records, for Joint Committee of both Houses, relative to property of John Hill, | 0 | 15 0 |
| 30. | Copying Despatch, &c. for Legislature, allowing five Acts, each copy 490 words, | 0 | 10 0 |
| | Do. do. for Gazette, | 0 | 5 0 |
| | Do. do. relative to State Records, each copy 150 words, | 0 | 3 0 |
| April 3. | Recording Order in Council allowing five Acts, | 0 | 5 0 |
| | | Sterling, | £36 19 8½ |
| | | Exchange, 1-9 | 4 2 2½ |
| | | | £40 1 10¾ |

J. P. COLLINS.

No. 2.

THE GOVERNMENT,

TO THE COLONIAL SECRETARY & REGISTRAR.

| 1838. | | £ | s. | d. |
|----------|---|---|----|-----|
| April 9. | Commission to Joseph Higgins, | 0 | 10 | 0 |
| | Great Seal, 9s.—Registering do. 6s. 7½d. | 0 | 15 | 7½ |
| | Lieut. Governor's fee, | 0 | 10 | 0 |
| | Commission to P. Cody, 10s.—Great Seal, 9s.—Registering do. 6s. 7½d. | 1 | 5 | 7½ |
| | Lieut. Governor's fee, | 0 | 10 | 0 |
| 15. | Commission—Assayer of Weights and Measures—to William Beairsto, 10s. Great Seal, 9s.—Registering do. 6s. 7½d. | 1 | 5 | 7½ |
| | Do. do. George Tanton, St. Eleanor's, | 1 | 5 | 7½ |
| | Lieut. Governor's fees to above, | 1 | 0 | 0 |
| 26. | Warrant of Survey to lay off road from Hill's Mills to Lot 1, | 0 | 2 | 6 |
| | Lieut. Governor's fee, | 0 | 5 | 0 |
| 27. | Recording Order in Council allowing Bank Incorporation Act, | 0 | 10 | 0 |
| | Copy of above for Gazette, | 0 | 10 | 0 |
| May 3. | Preparing Bonds for three High Sheriffs, | 1 | 0 | 0 |
| | 3 Commissions for do. 30s.—Great Seals to do. 27s.—Recording do. 19s. 10½d. | 3 | 16 | 10½ |
| | Lieut. Governor's fees, | 1 | 10 | 0 |
| 8. | Warrant of Survey to lay out road from West Point to Lot 10, | 0 | 2 | 6 |
| | Lieut. Governor's fee, | 0 | 5 | 0 |
| 14. | Proclamation proroguing Assembly, | 0 | 19 | 0 |

Carried forward,

| | | | | |
|----------|--|-----------------------------|-------------------|--------|
| 1838. | | | Brought forward £ | |
| | Commission to James Warburton, 10s.—Great Seal, 9s.—Registering do., 6s. 7½d. | | | 1 5 7½ |
| | Lieut. Governor's fee, - - - - | | | 0 10 0 |
| May 31. | Engrossing two copies of Acts of last Session of Legislature, viz :— | | | |
| | No. | WORDS : | | |
| | 1 Statute Labour Amendment, - | 1000 | | |
| | 2 Team Boat Act, - - - | 1000 | | |
| | 3 Interest on Warrants Act, - | 400 | | |
| | 4 Charlottetown Assessment Act, - | 300 | | |
| | 5 Georgetown Wharf Act, - | 2100 | | |
| | 6 Charlottetown Fire Act, - - | 300 | | |
| | 7 Sub-Collectors' Salary Act, - | 400 | | |
| | 8 Light Duty Act, - - - | 2800 | | |
| | 9 Election Act, - - - | 5400 | | |
| | 10 Grist Mill Act, - - - | 1600 | | |
| | 11 Supreme Court Act, - - - | 500 | | |
| | 12 Prison Discipline Act, - - | 1600 | | |
| | 13 Street Nuisance Act, - - | 1200 | | |
| | 14 Act regulating Driving, - - | 1000 | | |
| | 15 Surrogate's Office Act, - | 600 | | |
| | 15 Road Compensation amendment Act, - | 400 | | |
| | 17 Revenue Act, - - - | 500 | | |
| | 18 Mutiny amendment Act, - - | 700 | | |
| | 19 Appropriation Act, - - - | 5600 | | |
| | | 27400 | | |
| | Second copy, | 27400 | | |
| | | 54,800 at 1s. per 100 words | 27 8 0 | |
| | 19 Great Seals to Acts, 9s. - - - | | 8 11 0 | |
| | 3 Searches, by T. H. Haviland, for Lieut. Governor, - - | | 0 3 0 | |
| June 12. | Warrant of Survey to lay off land for Cornelius Macnamara, by order of Secretary of State, - | | 0 2 6 | |
| | Lieut. Governor's fee, - - - - | | 0 5 0 | |
| | Copy for Gazette, of Despatches acknowledging Addresses to Her Majesty, and transmitting letter from Mr. G. R. Young, with proposals of Proprietors - - | | 1 5 0 | |
| 20. | Recording Lord Durham's Commission as Captain General and Governor in Chief of Prince Edward Island, and Sir Charles Fitz Roy's Commission as Lieut. Governor, - | | 2 0 0 | |
| 21. | Bond and Indenture for repairs to Ferry House, - - - | | 0 6 8 | |
| 26. | Proclamation proroguing Assembly, - - - | | 0 19 0 | |
| 27. | Preparing 3 Pardons to criminals, on occasion of Her Majesty's coronation, - | | 1 0 0 | |
| | Great Seals 27s.—Recording do. 15s. - - - | | 2 2 0 | |
| | Lieut. Governor's fees, - - - - | | 1 10 0 | |
| | | | £63 11 3 | |
| | | Exchange, | 7 1 3 | |
| | | | £70 12 5 | |

J. P. COLLINS, Colonial Secretary.

No. 3.

THE GOVERNMENT,

TO THE COLONIAL SECRETARY.

| | | | |
|---------|---|------------------|---------|
| 1838. | | | £ s. d. |
| July 6. | Commission to J. R. Bourke, 10s.—Great Seal, 9s.—Registering do. 6s. 7½d. | | 1 5 7½ |
| | Lieut. Governor's fee, - - - - | | 0 10 0 |
| | | Carried forward, | |

| | | | | | | Brought forward, £ | | | | |
|---|--|--|--|--|--|--------------------|-----|----|----|---|
| Recording Commission from Governor General to E. Buller, Esq., as Commissioner of Crown Lands, 13s.—attaching Great Seal, 9s. | | | | | | - | 1 | 2 | 0 | |
| Copy of above Commission, and Despatch accompanying it, for Gazette, | | | | | | - | 0 | 17 | 0 | |
| 12. | Warrant of Survey to run a Road at New London, | | | | | | - | 0 | 2 | 6 |
| | Lieut. Governor's fee, | | | | | | - | 0 | 5 | 0 |
| 20. | Recording Order in Council allowing Election Law, | | | | | | - | 0 | 10 | 0 |
| | Copy of do. for Gazette, | | | | | | - | 0 | 10 | 0 |
| | Copy (for Gazette) of Despatch acknowledging Addresses to Her Majesty, from Council and Assembly, | | | | | | - | 0 | 3 | 0 |
| 21. | Copy (for Gazette) of 38th Clause of Mutiny Act, and Her Majesty's Warrant authorising enlistment, | | | | | | - | 0 | 5 | 0 |
| | Recording Order in Council allowing St. Andrew's College Act, | | | | | | - | 0 | 10 | 0 |
| | Copy of do. for Gazette, | | | | | | - | 0 | 10 | 0 |
| | Bond for repairs and alterations to Jail, | | | | | | - | 0 | 6 | 8 |
| August 8. | Proclamation proroguing Assembly, | | | | | | - | 0 | 19 | 0 |
| Sept. 6. | Warrant to survey Glebe, Lot 31, | | | | | | - | 0 | 2 | 6 |
| | Lieut. Governor's fee, | | | | | | - | 0 | 5 | 0 |
| 12. | Recording Order in Council allowing certain Acts of 1838, | | | | | | - | 0 | 10 | 0 |
| | Copy of do. for Gazette, | | | | | | - | 0 | 10 | 0 |
| 24. | Proclamation dissolving Assembly, | | | | | | - | 0 | 19 | 0 |
| 26. | 12 Writs of Election, at 6s. 9d. | | | | | | - | 4 | 6 | 0 |
| | Great Seals to do., 9s. | | | | | | - | 5 | 8 | 0 |
| | Parchment for do. | | | | | | - | 1 | 4 | 0 |
| | Lieut. Governor's fees, 10s. each, | | | | | | - | 6 | 0 | 0 |
| | | | | | | | £26 | 15 | 3½ | |
| | | | | | | Exchange, 1-9, | 2 | 19 | 5¾ | |
| | | | | | | | £29 | 14 | 9½ | |

J. P. COLLINS, Colonial Secretary.

No. 4.

THE GOVERNMENT,

TO THE COLONIAL SECRETARY & REGISTRAR.

| 1838. | | £ | s. | d. |
|-------------|---|----|----|----|
| October 15. | Copy for Gazette of Despatch acknowledging Addresses of congratulation to Her Majesty, | 0 | 3 | 6 |
| 23. | Registering New Piracy Commission on demise of the Crown, - | 1 | 5 | 0 |
| Nov. 15. | Registering surrender of Grant from C. Macnamara to Her Majesty, of 100 acres on Lot 55, | 0 | 10 | 6 |
| | Preparing Grant of Pasture Lots in Georgetown to C. Macnamara (commuted Pensioner), in lieu of above 100 acres, - - - | 0 | 10 | 0 |
| | Great Seal, 9s.—Registering do, 6s. 7½d. —Parchment, 2s., - - - | 0 | 17 | 7½ |
| | Lieut. Governor's fee, - - - - | 0 | 10 | 0 |
| December 4. | Proclamation summoning General Assembly for business, - - - | 0 | 19 | 0 |
| 17. | Warrant to Commissioners to issue £3000 new Notes, - - - | 0 | 6 | 8 |
| | Great Seal, 9s.—Registering do. 2s. 6d. - - - | 0 | 11 | 6 |
| | Lieut. Governor's fee, - - - - | 0 | 10 | 0 |
| | | £6 | 3 | 9½ |
| Exchange, | | 0 | 13 | 9 |
| | | £6 | 17 | 6½ |

J. P. COLLINS, Colonial Secretary.

No. 5.

THE GOVERNMENT,

TO THE CLERK OF THE COUNCIL.

| 1838. | | £ | s. | d. |
|-------------|---|---|-----------|-------|
| February 7. | Copy of Warrant Book for House of Assembly, 7800 words, | - | 3 | 18 0 |
| April 2. | Copy of Minute of Council of this day, for Lieut. Governor, | - | 0 | 5 0 |
| | To the issue of Warrants from No. 1 to No. 76—both inclusive—76 Warrants, | - | | |
| | at 6s. 7½d. each, | - | 25 | 3 6 |
| | | | £29 | 6 6 |
| | | | Exchange, | 3 5 2 |
| | | | £32 | 11 8 |

J. P. COLLINS, C. C.

No. 6.

THE GOVERNMENT,

TO THE CLERK OF THE COUNCIL.

| 1838. | | £ | s. | d. |
|-------|---|---|-----------|--------|
| | To the issue of Warrants from No. 77 to No. 213, both inclusive—being 137 Warrants, | | | |
| | at 6s. 7½d. each, | - | 45 | 7 7½ |
| | Copying Orders in Council and duplicates of Sept. 5th, 1837; July 13th, 1837; and April 2d, 1838; | - | 1 | 1 6 |
| | Copy of Order in Council for Supreme Court for Writ to open road from Monaghan Settlement | - | | |
| | to Vernon River, | - | 0 | 2 6 |
| | Copy of Minutes of Council for Mr. Owen, instructing him to open road from Cardigan to Mount | - | | |
| | Stewart, | - | 0 | 2 6 |
| | Copy of Minutes of Executive Council, from 1st January to 30th June, for Secretary of State, | - | | |
| | and duplicate—each copy 86 folios, | - | 8 | 12 0 |
| | | | £55 | 6 1½ |
| | | | Exchange, | 6 2 11 |
| | | | £61 | 9 0½ |

J. P. COLLINS, C. C.

No. 7.

THE GOVERNMENT,

TO J. P. COLLINS, Clerk of the Executive Council.

| 1838. | | £ | s. | d. |
|--------------|--|---|-----------|--------|
| | To the issue of Warrants from No. 214 to No. 313, both inclusive—being 100 | | | |
| | Warrants, at 6s. 7½d. sterling, each, | - | 33 | 2 6 |
| September 6. | Copy of Order in Council for Supreme Court to issue Writ or Writs for opening road | - | | |
| | from Hill's Mills to Lot 1, and from West Point to Main Western Road, | - | 0 | 5 0 |
| | | | 33 | 7 6 |
| | | | Exchange, | 3 14 2 |
| | | | £37 | 1 8 |

J. P. COLLINS, C. C.

No. 8.

THE GOVERNMENT,

TO THE CLERK OF THE COUNCIL.

| 1838. | | £ | s. | d. |
|-------------|--|---|----|-----|
| November 8. | Copy of Minute of Council of this day, for Treasurer, to enforce payment of Bonds, | - | 0 | 5 0 |
| | To the issue of Warrants, from No. 315 to No 402, inclusive—being 88 Warrants, | - | | |
| | at 6s. 7½d. | - | 29 | 3 0 |

Carried forward,

| | | | | | |
|--------------|---|--------------------|-----|----|---|
| December 31. | Copy of Minutes for first six months, for Secretary of State, and Duplicate--7100 words each. | Brought forward, £ | 3 | 11 | 0 |
| | Allowance for Stationery for twelve months, | | 3 | 11 | 0 |
| | | | 8 | 0 | 0 |
| | | | £44 | 10 | 0 |
| | | Exchange, 1-9, | 4 | 19 | 0 |
| | | | £49 | 9 | 0 |

J. P. COLLINS, C. C.

No. 9.

HER MAJESTY'S GOVERNMENT,

TO THE CLERK OF THE LEGISLATIVE COUNCIL, Dr.

1838.

| | £ | s. | d. |
|---|----------------|-------|------|
| Engrossing three copies of Address in answer to the Lieut. Governor's speech, each 1000 words, | 1 | 10 | 0 |
| Engrossing Lieut. Governor's Speech, and Reply to address, for printer, 850 words, | 0 | 8 | 6 |
| Engrossing the following Bills, viz :— | | | |
| Bill to amend Absent Debtor Act, 620 words, | 0 | 6 | 2 |
| Bill to establish Prison Discipline, 1280 words, | 0 | 12 | 9 |
| Re-engrossing same, | 0 | 12 | 9 |
| Bill to amend Act establishing times and places for holding Supreme Court, &c., 430 words, | 0 | 4 | 2 |
| Re-engrossing same, | 0 | 4 | 2 |
| Engrossing Amendments to various Bills from House of Assembly, 800 words, | 0 | 8 | 0 |
| Messages to House of Assembly, 2500 words, | 2 | 10 | 0 |
| Engrossing Joint Address to Her Majesty, of condolence, &c., 2 copies, each 500 words, | 0 | 10 | 0 |
| Address to Lieutenant Governor, 250 words, | 0 | 2 | 6 |
| Engrossing Joint Address to Lieutenant Governor, on the subject of State Records, &c., 350 words, | 0 | 3 | 6 |
| Tenders for printing the Journals—notifying three Printers, 450 words, | 0 | 4 | 6 |
| Notifying Members relative to Mr. Brecken's motion to rescind one of the Standing Orders, 800 words, | 0 | 8 | 0 |
| Engrossing Joint Address to Lieutenant Governor, transmitting Joint Report of Council and Assembly, on the subject of the Land Assessment Act, 300 words, | 0 | 3 | 0 |
| Engrossing Joint Address to Lieutenant Governor, on the subject of Glebe and School Lands, 350 words, | 0 | 3 | 6 |
| Engrossing copy of Journals for the Lieutenant Governor, 55,220 words, | 27 | 12 | 2 |
| Copy for printer, | 27 | 12 | 2 |
| Fair copy from rough Journals, | 27 | 12 | 2 |
| 69 days' attendance during session, at 7s. 6d. per diem, | 25 | 17 | 6 |
| | Sterling, | £ 117 | 5 6 |
| | Exchange, 1-9, | 13 | 0 7 |
| | Currency, | £ 130 | 6 1 |
| Stationery for the use of the Council, as per Bills—Mr. Haszard, | £ 9 | 8 | 0 |
| Mr. Stamper, | 4 | 10 | 7 |
| | | 13 | 18 7 |
| | | £ 144 | 4 8 |
| Deduct 10 days' attendance, overcharged by mistake, | | 1 | 3 4 |
| | | £ 140 | 1 4 |

No. 10.

HER MAJESTY'S GOVERNMENT,

TO JAMES D. HASZARD.

1838.

| | £ | s. | d. |
|---|------|----|----|
| To printing the Journals of the Legislative Council, for the last session, 29½ sheets, at 29s. 6d. per sheet, | 43 | 10 | 0 |
| Binding 35 copies do. in stiff covers, | 1 | 15 | 0 |
| | £ 45 | 5 | 0 |

JAMES D. HASZARD.

No. 11.

JAMES D. HASZARD'S (Queen's Printer) Quarterly Account, for services performed for the Government of Prince Edward Island, from 1st January, 1838, to 1st April, 1838.

| | | £ | s. | d. |
|--------------|--|-----------------------------------|----|----|
| 1838. | | FOR COLONIAL SECRETARY'S OFFICE : | | |
| January 1. | Subscription to Royal Gazette, from 1st January, 1837, to 1st January, 1838, forwarded to Secretary of State's Office, - - - - - | 0 | 15 | 0 |
| | Do. do. from 1st January, 1837, to 1st January, 1838, filed in Colonial Secretary's Office, - - - - - | 0 | 15 | 0 |
| June 2. | Advertising Hog Reeves for 1838, - - - - - | 0 | 3 | 4 |
| | Advertising Hon. G. R. Goodman sworn in as Boundary Line Commissioner, - - - - - | 0 | 5 | 0 |
| | Continuing do. twice, - - - - - | 0 | 2 | 6 |
| 16. | Publishing in Royal Gazette His Excellency the Lieut. Governor's letter, enclosing letter from R. Stewart, Esq.; also letter from Proprietors of Land in London to Sir J. Harvey, and Sir J. Harvey's letter to Proprietors—281 lines, - - - - - | 2 | 6 | 0 |
| 29. | Printing His Excellency the Lieutenant Governor's Speech—the Address of H. M. Council and House of Assembly, and his Excellency's Replies thereto, - - - - - | 1 | 10 | 0 |
| February 15. | 120 copies Riot Act Proclamation, on Cards, - - - - - | 0 | 11 | 6 |
| | Advertising Tenders received for Montague Ferry, - - - - - | 0 | 5 | 0 |
| | Continuing do. 3 times, - - - - - | 0 | 3 | 9 |
| | Handbills, do. - - - - - | 0 | 6 | 0 |
| | Advertising H. M. Order in Council signifying assent to Acts passed in 1836 & 1837, - - - - - | 1 | 15 | 0 |
| | Advertising H. M. Order in Council signifying assent to Election Act, - - - - - | 0 | 10 | 0 |
| | Advertising appointment of J. Barrow, Esq., as Assistant Judge, - - - - - | 0 | 5 | 0 |
| | Continuing do. twice, - - - - - | 0 | 2 | 6 |
| | Advertising convictions before P. Emery, Esq., J. P., - - - - - | 0 | 3 | 4 |
| 20. | Advertising convictions at Assault and Battery Court, Prince County, - - - - - | 0 | 3 | 4 |
| 27. | Advertising appointment of J. Wright and J. Craig as Justices of Peace, - - - - - | 0 | 5 | 0 |
| | Continuing do. twice, - - - - - | 0 | 2 | 6 |
| March 13. | Advertising convictions at Assault and Battery Court, Queen's County, - - - - - | 0 | 7 | 6 |
| 20. | Advertising Tenders received for Team Ferry Boat, and Act for the management, - - - - - | 1 | 0 | 0 |
| | Continuing do. once, - - - - - | 0 | 5 | 0 |
| | Handbills, do. - - - - - | 0 | 8 | 6 |
| | 1000 Handbills—Road Notice to commute labour, - - - - - | 2 | 10 | 0 |
| | 1000 do. do. to perform labour, - - - - - | 2 | 10 | 0 |
| | 400 copies of Road Act, with Act of last Session in Amendment—12 pages, Royal Svo. - - - - - | 5 | 0 | 0 |
| | 17 quires Overseers' Returns, - - - - - | 4 | 13 | 6 |
| | 60 copies Ram Act, - - - - - | 0 | 17 | 6 |
| | 1 doz. Labels, on Parchment, for Despatch Bag, - - - - - | 0 | 5 | 6 |
| | Paid Bookbinder for binding Register and Gazette from 1823 to 1835—5 vols.—for Colonial Secretary's Office, - - - - - | 2 | 2 | 6 |
| | Supplying 30 Nos. for do. - - - - - | 0 | 10 | 0 |
| | 7 quire Registry Book, bound in calf, numbered 45, and lettered, - - - - - | 3 | 5 | 0 |
| | | £ 34 | 4 | 9 |

Certified.

J. P. COLLINS.

FOR CLERK OF THE COURT :

| | | £ | s. | d. |
|-------------|---|--------|----|----|
| 1838. | | | | |
| January 16. | Advertising List of Constables for Queen's County, 1838, - - - - - | 0 | 17 | 6 |
| | Handbills for do. - - - - - | 0 | 10 | 0 |
| March 27. | Advertising List of Constables for King's County, March Term, 1838, - - - - - | 0 | 15 | 0 |
| | Handbills, do. - - - - - | 0 | 10 | 0 |
| | | 2 12 6 | | |

Correct.

DANIEL HODGSON, C. C.

Carried forward,

| FOR BOARD OF EDUCATION : | | | | | Brought forward, £ | | |
|--------------------------|---|---|---|---|--------------------|----|----|
| 1838. | | | | | £ | s. | d. |
| January 2. | Advertising Books for sale by the Board, | - | - | - | 0 | 5 | 0 |
| | Continuing do. 13 times, | - | - | - | 0 | 13 | 0 |
| | Advertising quarterly Meeting, | - | - | - | 0 | 5 | 0 |
| | Continuing do. 3 times, | - | - | - | 0 | 3 | 0 |
| 30. | Advertising list of persons who passed the Board, | - | - | - | 0 | 5 | 0 |
| | | | | | <hr/> | | |
| | | | | | 1 11 0 | | |

ALEXANDER BROWN.

| FOR COLLECTORS OF IMPOST—(Country.) | | | | | £ | s. | d. |
|-------------------------------------|---|---|---|---|-------|----|----|
| 1838. | | | | | | | |
| | <i>William Macgowan, Esq.</i> | | | | | | |
| March 17. | 13 blank Impost Accounts, | - | - | - | 0 | 6 | 6 |
| | 1 quire Permits, | - | - | - | 0 | 6 | 0 |
| | 1 quire Importers' Oaths, | - | - | - | 0 | 6 | 0 |
| | $\frac{1}{2}$ quire Post Entries, | - | - | - | 0 | 3 | 0 |
| | <i>Joseph Pope, Esq.</i> | | | | | | |
| | 1 quire Importers' Oaths, | - | - | - | 0 | 6 | 0 |
| | 50 Permits, | - | - | - | 0 | 4 | 0 |
| | 12 Post Entries, | - | - | - | 0 | 2 | 0 |
| | Book for making Entries, bound and ruled, | - | - | - | 0 | 12 | 6 |
| | 2 doz. Annual Light Receipts, | - | - | - | 0 | 3 | 0 |
| | | | | | <hr/> | | |
| | | | | | 2 9 0 | | |

| FOR BOUNDARY LINE COMMISSIONERS : | | | | | £ | s. | d. |
|-----------------------------------|---|---|---|---|--------|----|----|
| 1838. | | | | | | | |
| February 13. | Advertising Notice of running Lines between Lots 7 & 8, | - | - | - | 0 | 5 | 0 |
| | Continuing do 4 times, | - | - | - | 0 | 5 | 0 |
| | | | | | <hr/> | | |
| | | | | | 0 10 0 | | |

| FOR ROADS AND BRIDGES, &c. | | | | | £ | s. | d. |
|----------------------------|---|---|---|---|--------|----|----|
| 1838. | | | | | | | |
| March 6. | Advertising Tenders received for repairing Bridge across Hermitage Creek, | | | | 0 | 3 | 4 |
| | Continuing do. once, | - | - | - | 0 | 1 | 0 |
| | Handbills, do. | - | - | - | 0 | 5 | 0 |
| 13. | Advertising Bridges to be let in Third District, | | | | 0 | 5 | 0 |
| | Continuing do. 3 times, | - | - | - | 0 | 3 | 9 |
| | Handbills, do. | - | - | - | 0 | 5 | 0 |
| 27. | Advertising Roads and Bridges, District No. 10, | | | | 0 | 5 | 0 |
| | Continuing do. 3 times, | - | - | - | 0 | 3 | 9 |
| | Handbills, do. | - | - | - | 0 | 5 | 0 |
| | Advertising Princetown Wharf, | | | | 0 | 5 | 0 |
| | Continuing do. 3 times, | - | - | - | 0 | 3 | 9 |
| | Handbills, do. | - | - | - | 0 | 5 | 0 |
| | | | | | <hr/> | | |
| | | | | | 2 10 7 | | |

| FOR TREASURER'S OFFICE : | | | | | £ | s. | d. |
|--------------------------|---------------------------------------|---|---|---|----------|----|----|
| 1838. | | | | | | | |
| January 9. | Advertising Warrants paid to No. 260, | - | - | - | 0 | 5 | 0 |
| 15. | Advertising do. paid to No. 273, | - | - | - | 0 | 5 | 0 |
| | | | | | <hr/> | | |
| | | | | | 0 10 0 | | |
| | | | | | <hr/> | | |
| | | | | | £44 7 10 | | |

No. 12.

JAMES D. HASZARD'S (Queen's Printer) Quarterly Account, for services performed for the Government of Prince Edward Island, from 1st April to 30th June, 1838.

| 1838. | FOR COLONIAL SECRETARY'S OFFICE : | £ | s. | d. |
|---------|---|----|----|------|
| April. | Printing 100 copies His Excellency's Speech on closing General Assembly, | - | 0 | 18 6 |
| | Advertising appointment of J. Higgins, Esq. as Road Commissioner, | - | 0 | 5 0 |
| | Continuing do. twice, | - | 0 | 2 6 |
| | Advertising H. M. Order in Council, signifying Royal Assent to several Acts, | - | 0 | 10 0 |
| 17. | Advertising convictions Assault and Battery Court, Prince County, | - | 0 | 3 4 |
| | Publishing Acts of the last Session of the General Assembly, in the Royal Gazette, 23 columns, | 23 | 0 | 0 |
| | 3 quires Treasury Warrants, | - | 1 | 1 0 |
| | Advertising Court of Divorce for 14th May, | - | 0 | 5 0 |
| | Continuing do. 3 times, | - | 0 | 3 9 |
| | Advertising appointment of Mr. W. Beairsto to be Assayer of Weights and Measures, for Prince County, and continuing do once, | - | 0 | 6 3 |
| | Printing 50 copies His Excellency's Speech on closing Session—in French, | - | 0 | 15 0 |
| 24. | Advertising appointment of J. M. Holl and W. Macintosh, Esqrs., to be Visitors of Jail, | - | 0 | 5 0 |
| | Continuing do. twice, | - | 0 | 2 6 |
| | Advertising appointment of Jeremiah Thomas, Wharfinger for Georgetown, | - | 0 | 5 0 |
| | Continuing do. twice, | - | 0 | 2 6 |
| May 1. | Advertising H. M. Order in Council, signifying assent to Bank Act, | - | 0 | 10 0 |
| 8. | Advertising appointment Members of Board of Education, | - | 0 | 5 0 |
| | Advertising appointment of School Visiter, | - | 0 | 5 0 |
| | Advertising Contract for repairing Ferry House, | - | 0 | 5 0 |
| | Advertising appointment of Sheriffs, | - | 0 | 5 0 |
| | Advertising Proclamation proroguing General Assembly to 28th June, | - | 0 | 7 6 |
| | Continuing do. twice, | - | 0 | 4 0 |
| | Handbills do., and posting, | - | 0 | 12 6 |
| 15. | Advertising Levee, 24th inst., and continuing do. once, | - | 0 | 5 0 |
| | Advertising appointment of James Warburton, Esq., Commissioner of Roads, District No. 1, and A. Forsyth, Esq., Collector of Impost, &c., | - | 0 | 5 0 |
| | Continuing do. twice, | - | 0 | 2 6 |
| | Advertising contract for painting Government House, | - | 0 | 5 0 |
| | Continuing do. twice, | - | 0 | 2 6 |
| 29. | Advertising convictions before J. Jardine, Esq., for selling Liquor without License, | - | 0 | 3 4 |
| June 5. | Advertising appointment of T. Owen, Esq. and W. McKay, as Visitors of Georgetown Jail, | - | 0 | 5 0 |
| | Continuing do. twice, | - | 0 | 2 6 |
| | Advertising Contract for alterations in Charlottetown Jail, | - | 0 | 5 0 |
| | Continuing do once, | - | 0 | 1 3 |
| 12. | Advertising Despatch from Lord Glenelg, acknowledging receipt of Address of congratulation, &c. | 0 | 5 | 0 |
| | Advertising Despatch of Lord Glenelg, containing letters of G. R. Young, Esq., and proposals of Proprietors of Land in England—4 columns, | - | 4 | 0 0 |
| 19. | Advertising Notice of Holiday at Public Offices, | - | 0 | 5 0 |
| | Continuing do. once, | - | 0 | 1 3 |
| | Advertising appointment of Joseph Higgins, Esq., as Justice of Peace and Commissioner of Small Debts, | - | 0 | 5 0 |
| | Continuing do. twice, | - | 0 | 2 6 |
| | Advertising Circular to Justices of Peace, respecting giving Licenses to Tavernkeepers, | - | 0 | 5 0 |
| | Continuing do. twice, | - | 0 | 2 6 |
| 26. | Advertising Earl Durham's proclamation on assuming Government of British North America, | - | 0 | 15 0 |
| | Advertising convictions of Assault and Battery Court, Queen's County, | - | 0 | 5 0 |
| | Do. do. Prince County, | - | 0 | 5 0 |
| | Advertising Proclamation proroguing General Assembly to 9th August, | - | 0 | 7 6 |

Carried forward,

| | | | | | | | | |
|--|---|---|---|---|--------------------|------|----|---|
| | | | | | Brought forward, £ | | | |
| Continuing do. twice, | - | - | - | - | | 0 | 4 | 0 |
| Handbills do., and posting, | - | - | - | - | | 0 | 12 | 6 |
| Printing Acts of last Session of General Assembly (1838), 70 pages, or 9 sheets, at 55s. | | | | | | 24 | 15 | 0 |
| Paid Binder for binding 120 copies Acts, 1838, | - | - | - | - | | 4 | 10 | 0 |
| Printing 3 quires Circular Letters—directions to Justices of the Peace respecting granting Licenses, | - | - | - | - | | 0 | 18 | 0 |
| | | | | | | | | |
| | | | | | | £ 70 | 14 | 8 |

Certified.

J. P. COLLINS.

FOR BOARD OF EDUCATION:

| | | | | | | | | |
|----------|--|---|---|---|---|----|----|--------|
| 1838. | | | | | £ | s. | d. | |
| April 3. | Advertising quarterly Meeting of Board, | - | - | - | 0 | 5 | 0 | |
| | Continuing do. 3 times, | - | - | - | 0 | 3 | 9 | |
| May 8. | Advertising list of candidates passed the Board, | - | - | - | 0 | 5 | 0 | |
| | Advertising Report of Visiter of Schools, 3 columns, | - | - | - | 3 | 0 | 0 | |
| | | | | | | | | 3 13 9 |

Certified.

ALEXANDER BROWN.

FOR COLLECTOR OF IMPOST—(Charlottetown.)

| | | | | | | | | |
|-----------|---|---|---|---|---|----|----|--------|
| 1838. | | | | | £ | s. | d. | |
| April 14. | 3 blank Impost Accounts, | - | - | - | 0 | 1 | 6 | |
| May 1. | 3 quires Permits, | - | - | - | 0 | 18 | 0 | |
| June 20. | 12 Blank Accounts, | - | - | - | 0 | 6 | 0 | |
| | 4 quire Book, bound and ruled, for Entries, | - | - | - | 2 | 11 | 6 | |
| | | | | | | | | 3 17 0 |

FOR COLLECTORS OF IMPOST—(Country.)

| | | | | | | | | |
|----------|-------------------------------------|---|---|---|---|----|----|--|
| 1838. | | | | | £ | s. | d. | |
| | <i>William Macgowan, Esq.</i> | | | | | | | |
| May 4. | 2 doz. Annual Light Receipts, | - | - | - | 0 | 2 | 0 | |
| | 2 do. for voyage, | - | - | - | 0 | 2 | 0 | |
| | <i>Hugh Macdonald, Esq.</i> | | | | | | | |
| | 2 doz. Annual Light Receipts, | - | - | - | 0 | 2 | 0 | |
| | 1 quire Bonds, Recognizances, &c. | - | - | - | 0 | 8 | 0 | |
| | 1 Book for Entries—bound and ruled, | - | - | - | 0 | 12 | 6 | |
| | <i>Charles McNutt, Esq.</i> | | | | | | | |
| June 26. | 2 doz. Annual Light Receipts, | - | - | - | 0 | 2 | 0 | |
| | 2 quires Importers' Oaths, | - | - | - | 0 | 12 | 0 | |
| | 1 Book for Entries—bound and ruled, | - | - | - | 0 | 12 | 6 | |
| | 3 Blank Accounts, | - | - | - | 0 | 1 | 6 | |
| | <i>J. L. Hurdis, Esq.</i> | | | | | | | |
| | 4 doz. Annual Light Receipts, | - | - | - | 0 | 4 | 0 | |
| | <i>Allan Forsyth, Esq.</i> | | | | | | | |
| | 1 quire Bonds, Recognizances, &c. | - | - | - | 0 | 8 | 0 | |
| | 3 Blank Accounts, | - | - | - | 0 | 1 | 6 | |
| | 1 quire Permits, | - | - | - | 0 | 6 | 0 | |
| | 1 quire Blanks—(assorted.) | - | - | - | 0 | 6 | 0 | |
| | 1 quire Importers' Oaths, | - | - | - | 0 | 6 | 0 | |
| | <i>George Campbell, Esq.</i> | | | | | | | |
| | 1 quire Bonds, Recognizances, &c. | - | - | - | 0 | 8 | 0 | |
| | <i>A. Macdougall, Esq.</i> | | | | | | | |
| | 1 quire Bonds, Recognizances, &c. | - | - | - | 0 | 8 | 0 | |

5 2 0

Carried forward,

| | | ROADS AND BRIDGES : | | | | | Brought forward, £ | | |
|--------|--|---------------------|---|---|---|---|--------------------|----|----|
| 1838. | | | | | | | £ | s. | d. |
| April | 1 doz. Bonds, and 1 doz. Indentures for Road Contracts—J. Pope, Esq. | - | - | - | - | - | 0 | 4 | 0 |
| | 1½ doz. do., do.—A. Campbell, | - | - | - | - | - | 0 | 6 | 0 |
| | 1 doz. do. do.—P. Cody, Esq. | - | - | - | - | - | 0 | 4 | 0 |
| | 1 doz. do. do.—J. Macgowan, Esq. | - | - | - | - | - | 0 | 4 | 0 |
| | 1 doz. do. do.—J. M'Callum, | - | - | - | - | - | 0 | 4 | 0 |
| | ½ doz. do. do.—Thomas Tod, | - | - | - | - | - | 0 | 2 | 0 |
| | ½ doz. do. do.—D. Higgins, Esq. | - | - | - | - | - | 0 | 2 | 0 |
| | 1 doz. do. do.—W. M'Neill, Esq. | - | - | - | - | - | 0 | 4 | 0 |
| | 1 doz. do. do.—James Warburton, Esq. | - | - | - | - | - | 0 | 4 | 0 |
| | 1 doz. do. do.—Allan M'Dougall, Esq. | - | - | - | - | - | 0 | 4 | 0 |
| 3. | Advertising Contracts, District No. 5, | - | - | - | - | - | 0 | 7 | 6 |
| | Continuing do. 11 times, | - | - | - | - | - | 0 | 16 | 6 |
| | Handbills, do. | - | - | - | - | - | 0 | 6 | 0 |
| | Advertising Contract, District No. 8, | - | - | - | - | - | 0 | 5 | 0 |
| | Continuing do. 4 times, | - | - | - | - | - | 0 | 5 | 0 |
| | Handbills, do. | - | - | - | - | - | 0 | 5 | 0 |
| | Advertising Contracts, District No. 15, | - | - | - | - | - | 0 | 5 | 0 |
| | Continuing do. 4 times, | - | - | - | - | - | 0 | 5 | 0 |
| | Handbills, do. | - | - | - | - | - | 0 | 5 | 0 |
| 10. | Advertising Contract, Ellis River Bridge, | - | - | - | - | - | 0 | 5 | 0 |
| | Continuing do. twice, | - | - | - | - | - | 0 | 2 | 6 |
| | Handbills, do. | - | - | - | - | - | 0 | 5 | 0 |
| | Advertising Contracts, District No. 9, | - | - | - | - | - | 0 | 5 | 0 |
| | Continuing do. 3 times, | - | - | - | - | - | 0 | 3 | 9 |
| | Handbills, do. | - | - | - | - | - | 0 | 5 | 0 |
| 17. | Advertising Contracts, District No. 4, | - | - | - | - | - | 0 | 7 | 6 |
| | Continuing do. 8 times, | - | - | - | - | - | 0 | 12 | 0 |
| | Handbills, do. | - | - | - | - | - | 0 | 6 | 0 |
| | Advertising Contracts, District, No. 1, | - | - | - | - | - | 0 | 5 | 0 |
| | Continuing do. 9 times, | - | - | - | - | - | 0 | 11 | 3 |
| | Handbills, do. | - | - | - | - | - | 0 | 5 | 0 |
| | Advertising Contracts, District, No. 6, | - | - | - | - | - | 0 | 5 | 0 |
| | Continuing do. 5 times, | - | - | - | - | - | 0 | 6 | 3 |
| | Handbills, do. | - | - | - | - | - | 0 | 5 | 0 |
| 24. | Advertising Contracts, District No. 2, | - | - | - | - | - | 0 | 10 | 0 |
| | Continuing do. 7 times, | - | - | - | - | - | 0 | 10 | 6 |
| | Handbills, do. | - | - | - | - | - | 0 | 7 | 6 |
| | Advertising Contracts, District No. 5, | - | - | - | - | - | 0 | 5 | 0 |
| | Continuing do. 7 times, | - | - | - | - | - | 0 | 8 | 9 |
| | Handbills, do. | - | - | - | - | - | 0 | 5 | 0 |
| | Advertising Contracts, Hope River Wharf, | - | - | - | - | - | 0 | 5 | 0 |
| | Continuing do. 7 times, | - | - | - | - | - | 0 | 8 | 9 |
| | Handbills, do. | - | - | - | - | - | 0 | 5 | 0 |
| | Advertising Contracts, District No. 13, | - | - | - | - | - | 0 | 7 | 6 |
| | Continuing do. 6 times, | - | - | - | - | - | 0 | 9 | 0 |
| | Handbills, do. | - | - | - | - | - | 0 | 6 | 0 |
| May 1. | Advertising Contract, Western Road, | - | - | - | - | - | 0 | 5 | 0 |
| | Continuing do. 4 times, | - | - | - | - | - | 0 | 5 | 0 |
| | Handbills, do. | - | - | - | - | - | 0 | 5 | 0 |
| | Advertising Contracts, District No. 12, | - | - | - | - | - | 0 | 5 | 0 |
| | Continuing do. 4 times, | - | - | - | - | - | 0 | 5 | 0 |
| | Handbills, do. | - | - | - | - | - | 0 | 5 | 0 |

Carried forward,

FOR THOMAS OWEN, Esq. *Sheriff, King's County:*

T. OWEN, *late Sheriff.*

£108 4 2

| | | | | |
|-------|-----------------------------------|---|----|----|
| 1838. | FOR COLONIAL SECRETARY'S OFFICE : | £ | s. | d. |
|-------|-----------------------------------|---|----|----|

Carried forward,

| 1838. | | £ | s. | d. |
|----------|---|---|----|-----|
| | Advertising appointment of S. Green and W. Schureman, Esqrs., Visiting Magistrates for Jail in Prince County, | - | - | - |
| | Continuing do. twice, | - | - | - |
| | Advertising appointment of Mr. J. R. Roach, Road Commissioner for District No. 9, | - | - | - |
| | Continuing do. twice, | - | - | - |
| 17. | Advertising H. M. Order in Council, signifying assent to Election Law, | - | - | - |
| | Advertising Despatch from Lord Glenelg, expressing Her Majesty's satisfaction in receiving Address of Council and Assembly, | - | - | - |
| 21. | 3 quires Marriage Licenses, with notice on back, | - | - | - |
| | Advertising H. M. Order to Enlist—Extract of Mutiny Act, &c. | - | - | - |
| | Advertising Deserter from H. M. S. Racehorse, | - | - | - |
| Aug. 17. | Advertising H. M. Order in Council signifying assent to St. Andrew's College incorporation Bill, | - | - | - |
| | Advertising appointment of H. Palmer, Esq. Judge of Probate, and continuing do. twice, | - | - | - |
| | Advertising conviction of James Henry, for selling Liquor without License, | - | - | - |
| Sept. 4. | Advertising Proclamation proroguing General Assembly to 27th September, | - | - | - |
| | Continuing do. twice, | - | - | - |
| | Handbills, do. and posting, | - | - | - |
| | Advertising appointment of Hon. R. Hodgson, Judge of Probate, and continuing do. twice, | - | - | - |
| 11. | Advertising H. M. Order in Council, signifying allowance to sundry Acts, | - | - | - |
| | Advertising appointment of J. H. Peter, Esq., Solicitor General, and D. Brennan, Commissioner under Boundary Act, | - | - | - |
| | Continuing do. twice, | - | - | - |
| 18. | Advertising convictions in Assault and Battery Court, Queen's County, | - | - | - |
| | Advertising conviction of Hector M'Eachen, for harbouring Soldiers at improper hours, | - | - | - |
| 25. | Advertising Proclamation dissolving House of Assembly, | - | - | - |
| | Continuing do. 5 times, | - | - | - |
| | Handbills, do. | - | - | - |
| | Advertising convictions before Assault and Battery Court, Prince County, | - | - | - |
| | 1 doz. Blank Forms to fill up Blue Book—Return average price of Produce, Merchandize, &c. | - | - | - |
| | 6 doz. Forms for number Schools, &c. | - | - | - |
| | 4 doz. do. for number Churches, &c., | - | - | - |
| | 4½ doz. do. House of Assembly, | - | - | - |
| 29. | 2½ doz. Blank Forms to fill up Blue Book—Return Legislative Council, | - | - | - |
| | 2½ doz. do. Executive Council, | - | - | - |
| | 2½ doz. do. Officers of Government, | - | - | - |
| | 2 doz. do. Local Revenues. | - | - | - |
| | | £ | 15 | 3 6 |

Certified.

J. P. COLLINS,

| 1838. | FOR ROADS AND BRIDGES, &c. | £ | s. | d. |
|-----------|---|---|----|--------|
| July 1. | Advertising Contract, Road from Murray Harbour to Montague, | - | - | - |
| | Continuing do. twice, | - | - | - |
| | Handbills, do. | - | - | - |
| 3. | Advertising Hope River Wharf, | - | - | - |
| | Continuing do. once, | - | - | - |
| | Handbills, do. | - | - | - |
| Sept. 11. | Advertising Wilmot Creek Bridge, | - | - | - |
| | Continuing do. 3 times, | - | - | - |
| | Handbills, do. | - | - | - |
| | | | | 1 16 9 |

Carried forward,

| | | | |
|-----------|---|--------------------|--------|
| 1838. | MILITIA ADJUTANT GENERAL : | Brought forward, £ | |
| July. | Advertising General Order, Inspections throughout the Island, | - | 0 12 6 |
| | Continuing do. 4 times, | - | 0 10 0 |
| | 150 Returns for Commanding Officers, | - | 1 4 0 |
| | 1 quire Letter Paper, | - | 0 2 0 |
| | 1 do. Foolscap, | - | 0 1 10 |
| | 2 sticks Wax, 1s. 4d.; 2 pieces Office Tape, 1s. | - | 0 2 4 |
| 23. | 1 quire Foolscap, 1s. 10d.; 1 quire Letter Paper, 2s. | - | 0 3 10 |
| | | | <hr/> |
| | | | 2 16 6 |
| | A. LANE, Lieut. Col. & Adjutant General of Militia. | | |
| 1838. | FOR PROVOST MARSHAL : | £ s. d. | |
| May 15. | Advertising Mandamus and Proclamation, Court of Vice Admiralty, | - 1 0 0 | |
| | Continuing do. 4 times, | - 0 16 0 | |
| | Handbills, do. | - 0 12 6 | |
| | | <hr/> | 2 8 6 |
| | T. H. HAVILAND, P. M. | | |
| 1838. | FOR TREASURER'S OFFICE : | £ s. d. | |
| June 12. | Advertising notice to persons having Bonds unpaid, | - 0 5 0 | |
| | Continuing do. twice, | - 0 2 6 | |
| July 10. | Advertising List of persons licensed to retail Liquors, | - 0 5 0 | |
| | | <hr/> | 0 12 6 |
| | T. H. HAVILAND, Treasurer. | | |
| 1838. | FOR BOARD OF EDUCATION : | £ s. d. | |
| July. | Advertising quarterly Meeting of Board, | - 0 5 0 | |
| | Continuing do. 4 times, | - 0 4 0 | |
| 31. | Advertising list of persons who have passed the Board, | - 0 5 0 | |
| | | <hr/> | 0 14 0 |
| | Certified. | | |
| | ALEXANDER BROWN. | | |
| 1838. | FOR CENTRAL ACADEMY : | £ s. d. | |
| July 10. | Advertising Semi-Annual Examination of Classes, | - 0 5 0 | |
| August. | Advertising opening of Classes on 15th August, and continuing do. once, | - 0 3 4 | |
| | | <hr/> | 0 8 4 |
| | Certified. | | |
| | ALEXANDER BROWN. | | |
| 1838. | FOR COLLECTOR OF IMPOST—(Charlottetown.) | £ s. d. | |
| July. | 2 quires Bonds, Recognizances, &c. | - 0 16 0 | |
| 14. | 2 quires long Permits, | - 0 12 0 | |
| | 2 do. do. short, | - 0 12 0 | |
| Sept. 15. | 3 quires Bonds, Recognizances, &c. | - 1 4 0 | |
| | 12 Blank Accounts, | - 0 6 0 | |
| | | <hr/> | 3 10 0 |
| | J. SPENCER SMITH. | | |
| 1838. | FOR SURVEYOR GENERAL'S OFFICE : | £ s. d. | |
| May 15. | Advertising List of Lots for sale in Georgetown, | - 0 7 6 | |
| | Continuing do. 5 times, | - 0 8 9 | |
| | | <hr/> | 0 16 3 |
| | Certified. | | |
| | GEO. WRIGHT, Surveyor General. | | |
| | Carried forward, | | |

| 1838. | | Brought forward, £ | | £ | s. | d. |
|---------------|-----------------------------------|-------------------------------------|---|-----------|----|----|
| | | FOR POST OFFICE : | | | | |
| May 15. | Advertising Route of Mails, &c. | - | - | 0 | 5 | 0 |
| | Continuing do. twice, | - | - | 0 | 2 | 6 |
| | | | | <hr/> | | |
| | | | | 0 7 6 | | |
| | | Certified. | | | | |
| | | ELIZABETH CHAPPELL. | | | | |
| 1838. | | FOR COLLECTORS OF IMPOST—(Country.) | | | | |
| | | <i>Alexander Macdonald, Esq.</i> | | £ | s. | d. |
| September 12. | 6 Blank Accounts, - | - | - | 0 | 3 | 0 |
| | 9 Blank Bonds, Recognizances, &c. | - | - | 0 | 3 | 0 |
| | | <i>Charles M Nutt, Esq.</i> | | | | |
| 29. | 6 blank Accounts, - | - | - | 0 | 3 | 0 |
| | 1 quire Bonds, Recognizances, &c. | - | - | 0 | 8 | 0 |
| | 2 doz. Light Receipts, | - | - | 0 | 2 | 0 |
| | | <i>J. L. Hurdis, Esq.</i> | | | | |
| | 100 Light Receipts, | - | - | 0 | 6 | 6 |
| | | | | <hr/> | | |
| | | | | 1 5 6 | | |
| | | | | <hr/> | | |
| | | | | £ 29 19 4 | | |

No. 14.

JAMES D. HASZARD'S (Queen's Printer) Quarterly Account, for services performed for the Government of Prince Edward Island, from 1st October, 1838, to 1st January, 1839.

| 1838. | | FOR COLONIAL SECRETARY'S OFFICE : | | £ | s. | d. |
|-------------|--|-----------------------------------|---|------------------|----|----|
| October 2. | Advertising letter enclosing Lord Durham's Answer to His Excellency, denying that a Court of Escheat had been promised Mr. Le Lacheur, | - | - | 0 | 10 | 0 |
| | Continuing do. once, | - | - | 0 | 2 | 6 |
| 7. | Advertising Flora Beaton, fined for selling Liquor without License, | - | - | 0 | 3 | 4 |
| | Advertising suspension of John O'Conner's License, | - | - | 0 | 3 | 4 |
| | Advertising James Campbell, fined for harbouring Soldiers, | - | - | 0 | 3 | 4 |
| | Advertising Despatch, in answer to Addresses of congratulation on coronation of Her Majesty, | - | - | 0 | 5 | 0 |
| | 1 doz. pieces Office Tape, | - | - | 0 | 5 | 0 |
| | 1 do. Lead Pencils—assorted, | - | - | 0 | 4 | 6 |
| | $\frac{1}{2}$ ream best superfine Foolscap, | - | - | 1 | 7 | 6 |
| | 3 quires Treasury Warrants, | - | - | 1 | 1 | 0 |
| 15. | Large Box Wafers, | - | - | 0 | 1 | 0 |
| | 2 Registry Books, bound in calf and lettered, | - | - | 6 | 2 | 6 |
| December 4. | Advertising Proclamation proroguing General Assembly to 22d January, | - | - | 0 | 7 | 6 |
| | Continuing do. 7 times, | - | - | 0 | 14 | 0 |
| | Handbills, do. and posting | - | - | 0 | 12 | 6 |
| 25. | Advertising Notice—no free scholars admitted at National School, after Christmas Holidays, without Ticket from His Excellency, | - | - | 0 | 5 | 0 |
| | Continuing do. once, | - | - | 0 | 1 | 3 |
| | Paid Binder, for binding 12 vols. Journals Legislative Council, | - | - | 2 | 14 | 0 |
| | Subscription to Royal Gazette, from 1st January, 1838, to 1st January, 1839, sent to Colonial Office, England, | - | - | 0 | 15 | 0 |
| | Do. do. to file in Colonial Secretary's Office, | - | - | 0 | 15 | 0 |
| | | | | <hr/> | | |
| | | | | £ 16 13 3 | | |
| | | Correct. | | Carried forward, | | |
| | | J. P. COLLINS, | | | | |

| 1838. | | FOR COLLECTOR OF IMPOST—(Charlottetown.) | | | | Brought forward, £ | | |
|-------------------|---|--|---|---|---|--------------------|----|----|
| | | | | | | £ | s. | d. |
| October | 12 Blank Accounts, | - | - | - | - | 0 | 6 | 0 |
| | 23. Book for Vessels entering in Ballast, | - | - | - | - | 0 | 12 | 6 |
| November 8. | 2 quire Book, printed and ruled, for Entries, | - | - | - | - | 1 | 5 | 0 |
| | 2 quires short Permits, | - | - | - | - | 0 | 12 | 0 |
| | | | | | | <hr/> | | |
| | | | | | | 2 15 6 | | |
| J. SPENCER SMITH. | | | | | | | | |

| 1888. | | FOR POST OFFICE: | | | £ | s. | d. | |
|-------------|------------------------------------|------------------|---|---|--------------|----|----|-------|
| December 4. | Advertising Winter Route of Mails, | - | - | - | 0 | 5 | 0 | |
| | Continuing do. twice, | - | - | - | 0 | 2 | 6 | |
| | | | | | <hr/> | | | 0 7 6 |
| | | | | | Certified. | | | |
| | | | | | E. CHAPPELL. | | | |

| 1838. | | FOR BOARD OF EDUCATION: | | £ s. d. | |
|--------------|---|-------------------------|---|---------|-----|
| October 2. | Advertising Quarterly Meeting of Board, | - | - | 0 | 5 0 |
| | Continuing do. 3 times, | - | - | 0 | 3 0 |
| | | | | <hr/> | |
| | | | | 0 8 0 | |
| ALEX. BROWN. | | | | | |

| 1838. | | FOR COLLECTORS OF IMPOST—(Country.) | | £ s. d. | |
|--------------|-----------------------------------|---|---|---------|-------|
| | | | | £ | s. d. |
| | | <i>Hugh Macdonald, Esq.</i> | | | |
| December 7. | Book for Entries—bound and ruled, | - | - | 0 | 12 6 |
| | 1 quire Bonds, Recognizances, &c. | - | - | 0 | 8 0 |
| | | <i>William S. Macgowan, Esq.</i> | | | |
| October 18. | ½ quire Bonds, Recognizances, &c. | - | - | 0 | 4 0 |
| December 31. | 3 Blank Accounts, | - | - | 0 | 1 6 |
| | | <i>Charles M^cNutt, Esq.</i> | | | |
| | 6 Blank Accounts, | - | - | 0 | 3 0 |
| | | <i>John Jardine, Esq.</i> | | | |
| | 3 Blank Accounts, | - | - | 0 | 1 6 |
| | | <i>Allan M^cDougall, Esq.</i> | | | |
| | 3 Blank Accounts, | - | - | 0 | 1 6 |
| | | <i>George Campbell, Esq.</i> | | | |
| | 6 Blank Accounts. | - | - | 0 | 3 0 |
| | | | | <hr/> | |
| | | | | 1 15 0 | |

| 1838. | | FOR TREASURER'S OFFICE : | | | | |
|----------------------------|---|--------------------------|---|-------|----|----|
| November 13. | Advertising Order in Council to enforce payment of Bonds, and | | | £ | s. | d. |
| | Treasurer's Notice, | - | - | 0 | 7 | 6 |
| | Continuing do. 5 times, | - | - | 0 | 8 | 9 |
| December 11. | Advertising Notice, Warrants payable to 5th Jan. 1837, | - | - | 0 | 5 | 0 |
| | | | | <hr/> | | |
| | | | | 1 1 3 | | |
| T. H. HAVILAND, Treasurer. | | | | | | |

| 1838. | | FOR MILITIA ADJUTANT GENERAL: | | | | £ | s. | d. |
|-------------|--|-------------------------------|---|---|---|--------|----|----|
| October 24. | 2 Nos. Gazette, | - | - | - | - | 0 | 1 | 0 |
| | Advertising Deserters from 93d Regiment, | - | - | - | - | 0 | 10 | 0 |
| | Continuing do. 3 times, | - | - | - | - | 0 | 7 | 6 |
| | | | | | | <hr/> | | |
| | | | | | | 0 18 6 | | |
| A. LANE. | | | | | | | | |

Carried forward,

| | | | | Brought forward, £ | |
|-----------------------|--|---|---|--------------------|-------|
| 1838. | FOR CLERK OF THE COURT : | | | | |
| October 16. | Advertising List of Constables and Fence Viewers, Prince County, | | | £ | s. d. |
| | October Term, 1838, | - | - | 0 | 15 0 |
| | Handbills, do., 30 copies, | - | - | 0 | 7 6 |
| | | | | <hr/> | |
| | | | | 1 2 6 | |
| Correct. | | | | | |
| DANIEL HODGSON, C. C. | | | | | |

| | | | | FOR CENTRAL ACADEMY : | |
|--------------|-------------------------------------|---|---|-----------------------|----------|
| 1838. | | | | | |
| December 11. | Advertising Examination of Classes, | - | - | - | 0 5 0 |
| | | | | | <hr/> |
| | | | | | £ 25 6 6 |

No. 15.

HER MAJESTY'S GOVERNMENT,

To JOHN C. SIMS, Deputy Provost Marshal, Dr.

| 1838. June 16. | | For Expenses of the Court of Vice Admiralty. | | | | | | £ | s. | d. | |
|----------------|---|--|---|---|---|---|---|----------------|----|----|---|
| The Queen v. } | Service of Subpoena on Robert Percival, | - | - | - | - | - | - | 0 | 2 | 3 | |
| John Dalton. } | Do. Angus M'Phee, 2s. 3d. Richard Read, 2s. 3d. | - | - | - | - | - | - | 0 | 4 | 6 | |
| | Summoning 48 Petit Jurors, at 2s. 3d. each, | - | - | - | - | - | - | 5 | 8 | 0 | |
| | Travelling 27 miles, at 8d, | - | - | - | - | - | - | 0 | 18 | 0 | |
| | Summoning 24 Grand Jurors, at 2s. 3d. | - | - | - | - | - | - | 2 | 14 | 0 | |
| | Travelling 19 miles, at 8d. | - | - | - | - | - | - | 0 | 12 | 8 | |
| | One day's attendance, | - | - | - | - | - | - | 1 | 0 | 0 | |
| | | | | | | | | £ 10 | 19 | 5 | |
| | | | | | | | | Exchange, 1-9, | 1 | 4 | 7 |
| | | | | | | | | £ 12 | 4 | 0 | |
| | Paid cleaning Court House, | - | - | - | - | - | - | 0 | 5 | 0 | |
| | 3 quires of Paper, 5s. 3d., $\frac{1}{4}$ hundred Quills, 2s. 3d. | - | - | - | - | - | - | 0 | 7 | 6 | |
| | Ink, 1s.; 4 Inkstands, 2s. | - | - | - | - | - | - | 0 | 3 | 0 | |
| | Paid Man, attending 1 day, | - | - | - | - | - | - | 0 | 2 | 0 | |
| | James Macdonell's Account, | - | - | - | - | - | - | 1 | 0 | 0 | |
| | | | | | | | | £ 14 | 1 | 6 | |

John Cambridge Sims, of Charlottetown, Deputy Provost Marshal, maketh oath and saith, that the above mentioned services have been duly performed, and that the above Account is, in every respect, just and true, to the best of Deponent's belief.

JOHN C. SIMS.

Sworn before me, this 4th day of July, 1838.

DONALD MACDONALD, J. P.

Approved.

E. J. JARVIS,
A. LANE.

No. 16.

HER MAJESTY'S GOVERNMENT,

To DANIEL HODGSON, Registrar & Scribe of the Court of Vice Admiralty, Dr.

| 1838. June. | | Court of Vice Admiralty Session. | | | | | | £ | s. | d. |
|---|---|----------------------------------|---|---|---|---|---|------------------|----|----|
| | | <i>The Queen v. John Dalton.</i> | | | | | | | | |
| Registrar & Scribe's Fees, as per Bill, | - | - | - | - | - | - | - | 5 | 5 | 0 |
| Do. do. | - | - | - | - | - | - | - | 5 | 3 | 10 |
| | | | | | | | | <hr/> | | |
| | | | | | | | | 10 | 8 | 10 |
| | | | | | | | | Sterling, | | |
| | | | | | | | | Carried forward, | | |

| | | | | |
|------------------|---------------------------------------|-------|----|----|
| | Brought forward, | 10 | 8 | 10 |
| | Exchange, 1-9 | 1 | 3 | 2 |
| | | <hr/> | | |
| | Currency, | 11 | 12 | 0 |
| | Amount of Disbursements, as per Bill, | 3 | 15 | 4 |
| | | <hr/> | | |
| 16th July, 1838. | Currency, | £15 | 7 | 4 |
| | | <hr/> | | |

DANIEL HODGSON, Registrar & Scribe.

[Particulars of Registrar & Scribe's Fees in the above Case.]

| | £ | s. | d. |
|--|-----------|----|--------|
| Mandate, £1 3s.; attendance to have same signed, 5s. | - | - | 1 8 0 |
| Precept for Grand Jury, £1 3s.; attendance to have same signed, 5s. | - | - | 1 8 0 |
| Venire for Petty Jury, £1 3s.; attendance to have same signed, 5s. | - | - | 1 8 0 |
| Attesting Grand Jury, | - | - | 1 3 0 |
| | Sterling, | | 5 5 0 |
| Filing Crown Papers, 3s.; Drawing Indictment, long and special, 1l. 1s.; copy same, 10s. 6d. | 1 | 14 | 6 |
| 1 Subpoena, 4s. 6d.; 4 copies, 4s.; 5 Oaths Grand Jury, 5s.; 5 Tickets, 5s.; Crier, 1s. 8d. | 1 | 0 | 2 |
| Entry, Bill found, 1s. Motion and Rule arraignment, 2s.; do. on trial, 2s. | 0 | 5 | 0 |
| 8 Oathson trial, 8s.; Crier, 2s. 8d.; 4 Exhibits, 4s.; Crier, 1s. 4d. | 0 | 16 | 0 |
| Verdict, 1s.; Crier, 6d.; Motion and Rule to record, 2s.; Filing Indictment, 1s. | 0 | 4 | 6 |
| Motion and Rule Sentence, 2s.; Recording same, 3s. 4d.; copy for Provost Marshal, 3s. 4d. | 0 | 8 | 8 |
| Record, | 0 | 15 | 0 |
| | Sterling, | | 5 3 10 |

[Disbursements in the above Case.]

| | | | | | | |
|--|---|---|---|-----------|---|--------|
| Paid Hugh M'Lean, a witness, as per Bill, | - | - | - | 3 | 2 | 10 |
| Angus M'Phee, witness, | - | - | - | 0 | 1 | 8 |
| Robert Percival, do. | - | - | - | 0 | 1 | 8 |
| Richard Read, do. | - | - | - | 0 | 1 | 8 |
| John Rider, Crier of the Court, as per Bill, | - | - | - | 0 | 7 | 6 |
| | | | | Currency, | | 3 15 4 |

No. 17.

GOVERNMENT OF PRINCE EDWARD ISLAND,

To ROBERT HODGSON, Attorney General, Dr.

1838. June. Vice Admiralty Sessions, for the Trial of offences committed upon the High Seas.

The Queen vs. John Dalton.

| | | | | | |
|------------------|---|---|----------------|-------|------|
| Larceny. | Hugh M'Lean, the person from whom the Money was stolen, in this case, | | | | |
| Committed on the | residing at Pictou, in Nova Scotia, writing to him twice, requiring him | | | | |
| High Seas. | to be in Charlottetown on the Trial—2 letters, at 3s. 4d. each, | - | 0 | 6 | 8 |
| Conviction. | Fee perusing depositions and instructing Registrar to draw Indictment, | | 1 | 1 | 0 |
| | Fee perusing Indictment, | - | 0 | 10 | 0 |
| | Drawing Brief, | - | 0 | 13 | 4 |
| | Fee to Attorney General, | - | 3 | 3 | 0 |
| | | | <hr/> | | |
| | | | Sterling, | £5 | 14 0 |
| | | | Exchange, 1-9, | 0 | 12 8 |
| | | | | <hr/> | |
| | | | | £6 | 6 8 |

Approved.

E. J. JARVIS, Chief Justice.

A. LANE.

No. 18.

HER MAJESTY'S GOVERNMENT,

To DANIEL HODGSON, Coroner, Dr.

| 1838. | | £ s. d. | | | |
|--------------|--|----------------|----|-----|---------|
| February 15. | Inquest on the Body of James Duffy. | | | | |
| | Coroner's fee, - - - | 0 | 9 | 0 | |
| | Precept for Jury, 4s. 6d.; Subpoenas for witnesses, 2s; 3 copies, 3s. | 0 | 9 | 6 | |
| | 3 Oaths to witnesses, 3s.; 3 Examinations, each 2s. 6d. | 0 | 10 | 6 | |
| | Travelling, 15 miles, at 8d., 10s.; 12 Jurors, £1 4s. 3d. | 1 | 14 | 3 | |
| | | <hr/> | | | |
| | | Sterling, | £3 | 3 | 3 |
| | | Exchange, 1-9, | 0 | 7 | 0 |
| | | <hr/> | | | |
| | | | £3 | 10 | 3 |
| | Paid George Farmer, Constable, as per Bill, - - - | 1 | 10 | 3 | |
| | William Jardine, a witness, - - - | 0 | 13 | 11½ | |
| | David Jardine, do. - - - | 0 | 13 | 11½ | |
| | Nicholas (an Indian,) do. - - - | 0 | 11 | 8 | |
| | Peter O'Hare, per Bill, - - - | 0 | 7 | 6 | |
| | | <hr/> | | | 7 7 7 |
| | Inquest on the Body of Alexander Stewart—Perished from cold and exhaustion. | | | | |
| | Coroner's fee, 9s.; Precept for Jury, 4s. 6d. | 0 | 13 | 6 | |
| | Travelling, 10 miles, at 4d. | 0 | 3 | 4 | |
| | 12 Oaths to witnesses, - - - | 0 | 12 | 0 | |
| | Taking 12 Examinations, - - - | 1 | 10 | 0 | |
| | 14 Jurors, - - - | 1 | 8 | 3 | |
| | Travelling, 10 miles each, 3d. | 1 | 12 | 6 | |
| | Constable summoning Jury, as per Bill, - - - | 0 | 11 | 3 | |
| | Doctor Conroy, as per Bill, - - - | 3 | 3 | 0 | |
| | | <hr/> | | | |
| | | | 9 | 13 | 10 |
| | | Exchange, 1-9, | 1 | 1 | 6 |
| | | <hr/> | | | 10 15 4 |
| | Inquest on the Body of James Fulton, Esq., who died by the visitation of God, in a fit of apoplexy. | | | | |
| May 4. | Coroner's fee, 9s.; Precept for Jury, 4s. 6d. | 0 | 13 | 6 | |
| | 3 Oaths to witnesses, 3s.; 3 Examinations, each 2s. 6d. | 0 | 10 | 6 | |
| | Constable summoning Jury, - - - | 0 | 4 | 6 | |
| | 12 Jurors, - - - | 1 | 4 | 3 | |
| | Paid Doctor Tremain, as per Bill, - - - | 1 | 1 | 0 | |
| | | <hr/> | | | |
| | | Sterling, | £3 | 13 | 9 |
| | | Exchange, 1-9, | 8 | 2 | |
| | | <hr/> | | | 4 1 11 |
| | Inquest on the Body of a man unknown, who was found drowned at Albion Bay, Three Rivers—Verdict, " Found Drowned." | | | | |
| July 4. | Coroner's fee, 9s.; Precept for Jury, 4s. 6d. | 0 | 13 | 6 | |
| | Travelling 32 miles, at 8d. | 1 | 1 | 4 | |
| | 1 Oath to witness, 1s.; 1 Examination, 2s. 6d. | 0 | 3 | 6 | |
| | Constable, - - - | 0 | 4 | 6 | |
| | 12 Jurors, - - - | 1 | 4 | 3 | |
| | Paid 12 Jurors, travelling 3 miles each, - - - | 0 | 9 | 0 | |
| | | <hr/> | | | |
| | | Sterling | £3 | 16 | 1 |
| | | Exchange, 1-9, | 0 | 8 | 5 |
| | | <hr/> | | | |
| | | Currency, | £4 | 4 | 6 |
| | Paid James Robertson, for making Coffin, and interring the Body, as per Bill, - - - | 2 | 7 | 0 | |
| | Paid Peter Stewart, notifying Coroner, as per Bill, - - - | 1 | 0 | 0 | |
| | | <hr/> | | | 7 11 6 |
| | Carried forward, | <hr/> | | | |

| | | | | | | Brought forward, £ | | |
|--|--|---|---|---|---|--------------------|----|------|
| Inquest on the Body of Henry M'Neil. Verdict, "Died by the visitation of God." | | | | | | £ | s. | d. |
| 1838. | | | | | | | | |
| July 19. | Coroner's fee, 9s.; Precept for Jury, 4s. 6d. | - | - | - | - | 0 | 13 | 6 |
| | 2 Oaths to witnesses, 2s.; 2 Examinations, 5s. | - | - | - | - | 0 | 7 | 0 |
| | 12 Jurors, | - | - | - | - | 1 | 4 | 3 |
| | Constable summoning Jury, | - | - | - | - | 0 | 4 | 6 |
| | | | | | | | | |
| | | | | | | Sterling, | £2 | 9 3 |
| | | | | | | Exchange, 1-9, | 0 | 5 5 |
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| | Brought forward, £ | |
|--|--------------------|--|
| Paid James Hadley, express to Town with information to Coroner, 30 miles, at 8d. as per Bill, | 1 0 0 | |
| Joseph Snake, Francis Bernard and Stephen Snake, as per Bill, | 1 6 8 | |
| Hugh Logan and George Farmer, Constables, for apprehending prisoner and conveying him to Georgetown Jail, as per Bill, | 5 16 7 | |
| Doctor Mackieson's Bill, submitted to His Excellency in Council, | 10 10 0 | |
| | <hr/> | |
| | £ 23 16 0 | |

The deceased had no effects.

DANIEL HODGSON, Coroner.

No. 20.

HER MAJESTY'S GOVERNMENT,

To RALPH BRECKEN, Sheriff of Queen's County.

To the expenses of holding the Election for Charlottetown and Royalty and Queen's County.

| 1838. November 5. | Sterling. | | | Currency. | | |
|--|-----------|----|----|-----------|----|----|
| | £ | s. | d. | £ | s. | d. |
| Posting Proclamations in Charlottetown and Royalty, | 0 | 0 | 0 | 0 | 5 | 0 |
| Mileage to post do., 9 miles, at 8d. | 0 | 6 | 0 | 0 | 0 | 0 |
| Three days holding the Election, at 10s. per day, | 1 | 10 | 0 | 0 | 0 | 0 |
| 3 days two Poll Clerks, at 7s. 6d. each, per day, | 2 | 5 | 0 | 0 | 0 | 0 |
| 3 days for Constable, | 0 | 0 | 0 | 0 | 15 | 0 |
| To the use of a Room for the Clerks to hold the Election, | 0 | 0 | 0 | 1 | 0 | 0 |
| Stationery, and incidental expenses, | 0 | 0 | 0 | 0 | 10 | 0 |
| Printer's Bill, | 0 | 0 | 0 | 1 | 7 | 9 |
| <i>First District :</i> | | | | | | |
| Posting Proclamations in all public places, | 0 | 0 | 0 | 0 | 10 | 0 |
| 14 miles to post at Brackley Point, at 8d. | 0 | 9 | 4 | 0 | 0 | 0 |
| 36 miles, at 8d., at New London, | 1 | 4 | 0 | 0 | 0 | 0 |
| 15 miles, at 8d. at Ructico and Cavendish, | 0 | 10 | 0 | 0 | 0 | 0 |
| 32 miles, at 8d., to New London, to hold the Election, | 1 | 1 | 4 | 0 | 0 | 0 |
| Holding the Election, 1 day, | 0 | 10 | 0 | 0 | 0 | 0 |
| 32 miles, at 8d. for two Poll Clerks, each, | 2 | 2 | 8 | 0 | 0 | 0 |
| Two Clerks, 1 day each, at 7s. 6d. | 0 | 15 | 0 | 0 | 0 | 0 |
| Paid for the use of a house, to hold Election, | 0 | 0 | 0 | 1 | 0 | 0 |
| Stationery and incidental expenses, | 0 | 0 | 0 | 1 | 0 | 0 |
| Indentures and duplicates, and posting notices of qualification, | 0 | 0 | 0 | 0 | 12 | 6 |
| Printer's Bill, | 0 | 0 | 0 | 1 | 10 | 0 |
| <i>Second District :</i> | | | | | | |
| Posting Proclamations in all public places, | 0 | 0 | 0 | 0 | 10 | 0 |
| 21 miles, at 8d. to post at Crapaud and Elliot River, | 0 | 14 | 0 | 0 | 0 | 0 |
| 25 miles, at 8d. to Tracadie and Covehead, | 0 | 16 | 8 | 0 | 0 | 0 |
| 20 miles, at 8d. to Scotchfort and Monaghan, and Lot 48, | 0 | 13 | 4 | 0 | 0 | 0 |
| 14 miles, at 8d. to South Shore and Black Point, | 0 | 9 | 4 | 0 | 0 | 0 |
| 14 miles, at 8d. to hold Election, | 0 | 9 | 4 | 0 | 0 | 0 |
| 14 miles, at 8d. for two Poll Clerks to hold Election, each, | 0 | 18 | 8 | 0 | 0 | 0 |
| 2 days holding Election, at 10s. per day, | 1 | 0 | 0 | 0 | 0 | 0 |
| 2 Clerks, two days each, at 7s. 6d. per day, | 1 | 10 | 0 | 0 | 0 | 0 |
| Paid for the use of a House to hold Election in, | 0 | 0 | 0 | 1 | 10 | 0 |
| 32 miles, at 8d. to post notice of the adjourned Poll, | 1 | 1 | 4 | 0 | 0 | 0 |
| 16 miles, at 8d. to hold Election, | 0 | 10 | 8 | 0 | 0 | 0 |
| 2 days holding Election, at 10s. per day, | 1 | 0 | 0 | 0 | 0 | 0 |

Carried forward,

| | | | | | Brought forward, £ | |
|--|---|---|---|---|--------------------|-----------|
| | | | | | Sterling. | Currency. |
| 2 days each for two Poll Clerks, at 7s. 6d. | - | - | - | - | 1 10 0 | 0 0 0 |
| 16 miles, at 8d. for 2 Clerks, each, | - | - | - | - | 1 1 4 | 0 0 0 |
| Paid for the use of a House, to hold Election, | - | - | - | - | 0 0 0 | 1 10 0 |
| 16 miles, at 8d. to post notices of adjourned poll to Charlottetown, | - | - | - | - | 0 10 8 | 0 0 0 |
| 2 days, holding Election, | - | - | - | - | 1 0 0 | 0 0 0 |
| 2 each for 2 Clerks, at 7s. 6d. each, per day, | - | - | - | - | 1 10 0 | 0 0 0 |
| Indentures, duplicates, and posting notices of qualification, | - | - | - | - | 0 0 0 | 0 12 6 |
| Room to hold Election in, | - | - | - | - | 0 0 0 | 1 0 0 |
| Stationery, and incidental Expenses, | - | - | - | - | 0 0 0 | 1 0 0 |
| Printer's Bill, | - | - | - | - | 0 0 0 | 1 11 6 |

Third District :

| | | | | | | |
|--|---|---|---|---|--------|--------|
| Posting Proclamations in all public places, | - | - | - | - | 0 0 0 | 0 10 0 |
| 40 miles, at 8d. to post at Lots 49, 50, Pinette and Wood Islands, | - | - | - | - | 1 6 8 | 0 0 0 |
| 10 miles, at 8d., Murray Harbour Road, | - | - | - | - | 0 6 8 | 0 0 0 |
| 28 miles, at 8d. to hold the Election, | - | - | - | - | 0 18 8 | 0 0 0 |
| 2 days holding the Election, | - | - | - | - | 1 0 0 | 0 0 0 |
| 2 Clerks, 2 days each, at 7s. 6d. per day, | - | - | - | - | 1 10 0 | 0 0 0 |
| 28 miles, at 8d. each, for two Clerks, | - | - | - | - | 1 17 4 | 0 0 0 |
| 20 miles, at 8d. to post adjourned Poll, | - | - | - | - | 0 13 4 | 0 0 0 |
| Paid for the use of a house, to hold Election in, | - | - | - | - | 0 0 0 | 1 10 0 |
| 12 miles, at 8d. to hold Election at adjourned poll, | - | - | - | - | 0 8 0 | 0 0 0 |
| 2 days holding poll, at 10s. per day, | - | - | - | - | 1 0 0 | 0 0 0 |
| 2 Poll Clerks, 2 days each, at 7s. 6d. | - | - | - | - | 1 10 0 | 0 0 0 |
| 12 miles, at 8d. each, for 2 Poll Clerks, | - | - | - | - | 0 16 0 | 0 0 0 |
| Paid for the use of House, to hold Election in, | - | - | - | - | 0 0 0 | 1 10 0 |
| Indentures, duplicates, and posting notices of qualification, | - | - | - | - | 0 0 0 | 0 12 6 |
| Stationery, and incidental expenses, | - | - | - | - | 0 0 0 | 1 0 0 |
| Printer's Bill, | - | - | - | - | 0 0 0 | 1 11 0 |
| J. B. Cooper & Co's. account, | - | - | - | - | 0 0 0 | 2 8 9 |

36 15 4 25 6 6

Exchange, 1-9, 4 1 8

40 17 0

£ 66 3 6

Charlottetown, November 27th, 1838.

RALPH BRECKEN, Sheriff for Queen's County.

| | | | |
|---|---|--------|-----------|
| Deduct overcharge in incidental expenses for 1st District, | - | 0 10 0 | |
| Error, in charging mileage and allowance of Returning Officers and Poll Clerks in sterling instead of currency, | - | 3 1 6 | |
| | | | 3 11 6 |
| | | | £ 62 12 0 |

1839, January 9—Certified at £ 62 12s. currency.

T. H. HAVILAND,
JOHN BRECKEN.

No. 21.

THE GOVERNMENT OF PRINCE EDWARD ISLAND,

Dr. To JOHN RAMSAY, Sheriff of Prince County.

1839.

| | | £. s. d. | £ s. d. |
|---------------|---|-----------|-----------|
| | | Sterling. | Currency. |
| September 29. | To posting Proclamation in Princetown and vicinity, | 0 0 0 | 0 10 0 |
| | Mileage, to post do. 21 miles, at 8d. | 0 14 0 | 0 0 0 |

Carried forward,

| | | | | Brought forward, £ | |
|---|--|---|---|--------------------|------------------|
| | | | | <i>Sterling.</i> | <i>Currency.</i> |
| November 5. | Mileage to hold Election, 21 miles, at 8d. | - | - | 0 14 0 | 0 0 0 |
| | 2 Days holding Election, | - | - | 1 0 0 | 0 0 0 |
| | 2 Poll Clerks, each 2 days attendance, | - | - | 1 10 0 | 0 0 0 |
| | Paid for use of House, to hold Election in, | - | - | 0 0 0 | 1 5 0 |
| | James D. Haszard's account for Printing and Stationery, | - | - | 0 0 0 | 1 13 2 |
| | Incidental expenses, | - | - | 0 0 0 | 0 13 3 |
| | Oaths and Indentures, | - | - | 0 0 0 | 0 7 6 |
| | Posting notices of qualification for voters, | - | - | 0 0 0 | 0 5 0 |
| <i>First District of Prince County:</i> | | | | | |
| October 4. | To posting Proclamations in all public places, | - | - | 0 0 0 | 0 10 0 |
| | Mileage, to post at Catholic Chapel, Lot 14, 7 miles, from thence to Port, Hill 7, thence to Hillston, 18, thence to French Village, 3, thence to Warburton's Mill, 5, thence to West Point, 25, thence to Nail Pond, 21—in all, 86 miles, | - | - | 2 17 4 | 0 0 0 |
| November 12. | Holding Election 2 days, | - | - | 1 0 0 | 0 0 0 |
| | Mileage of Poll Clerks, 52 miles, | - | - | 1 14 8 | 0 0 0 |
| | 2 Days attendance each, at 7s. 6d. | - | - | 1 10 0 | 0 0 0 |
| | Posting Proclamation of adjourned Poll at Lots 13 and 14, | - | - | 0 0 0 | 0 5 0 |
| | Mileage to post do., 30 miles, | - | - | 1 0 0 | 0 0 0 |
| | Mileage to the adjourned Poll, 10 miles, | - | - | 0 6 8 | 0 0 0 |
| | Holding Election 2 days, | - | - | 1 0 0 | 0 0 0 |
| | Mileage of 2 Poll Clerks, 13 miles, | - | - | 0 8 8 | 0 0 0 |
| | 2 Days attendance, each 7s. 6d. | - | - | 1 10 0 | 0 0 0 |
| | Paid for use of House to hold Election, | - | - | 0 0 0 | 1 5 0 |
| | Paid 9 Special Constables attending, one day each, at 5s. per day, | - | - | 0 0 0 | 2 5 0 |
| | Mileage for 5 Special Constables, 20 miles each, making 100 miles, at 4d. per mile, | - | - | 0 0 0 | 1 13 4 |
| | James D. Haszard's account, for Printing and Stationery, | - | - | 0 0 0 | 1 14 6 |
| | Incidental Expenses, | - | - | 0 0 0 | 1 0 0 |
| | Posting notices of qualification of voters, | - | - | 0 0 0 | 0 5 0 |
| | Oaths and Indentures, | - | - | 0 0 0 | 0 7 6 |
| | J. B. Cooper & Co.'s account, | - | - | 0 0 0 | 2 1 3 |
| | Mileage to Charlottetown, to make return of Writs—46 miles, | - | - | 1 10 8 | 0 0 0 |
| | Amount of William Bearisto's account, as Returning Officer for the 2d District of Prince County, | - | - | 0 0 0 | 15 9 10 |
| | Amount of George Tanton's account, as Returning Officer for the 3d District of Prince County, | - | - | 0 0 0 | 18 6 3 |
| | | | | 16 15 0 | |
| Exchange, 1-9, . | | | | 1 17 4 | 18 13 4 |
| | | | | | £68 9 11 |
| | Deduct overcharge for posting Advertisements in Princetown, | - | - | £ s. d. | |
| | Overcharge on incidental expenses, | - | - | 0 5 0 | |
| | Do. in 1st District, | - | - | 0 11 2 | |
| | Error in charging mileage and allowance to Returning Officer and Poll Clerks in sterling, instead of currency, for Princetown, and 1st District, | - | - | 0 7 0 | |
| | Overcharge in District No. 2, | - | - | 1 3 9 | |
| | Do. No. 3, | - | - | 2 4 8 | |
| | | | | 2 7 8 | 6 19 3 |
| | | | | | £61 10 8 |

1839, January 9.—Certified at £61 10s. 8d.

T. H. HAVILAND,
JOHN BRECKEN.

JOHN RAMSAY, *Esq. High Sheriff, Prince County,**To GEORGE TANTON, Returning Officer of 3d District, Prince County.*

| | | Sterling. | | | Currency. | | |
|---------------|--|------------------|----|----|------------------|----|----|
| 1833. | | £ | s. | d. | £ | s. | d. |
| September 30. | To posting Proclamations in public places, - - | 0 | 0 | 0 | 0 | 10 | 0 |
| | Mileage to Bedeque, 12 miles; do. Tryon, 15 miles; do. to Barret's, Lot 19, 9 miles, at 8d. per mile, - | 1 | 4 | 0 | 0 | 0 | 0 |
| November 12. | Holding Election 2 days, at 10s. per day, - | 1 | 0 | 0 | 0 | 0 | 0 |
| | 2 Poll Clerks, 2 days, at 7s. 6d. each, per day, - | 1 | 10 | 0 | 0 | 0 | 0 |
| | Paid for preparing place for self and Poll Clerks, at Bedeque, - | 0 | 0 | 0 | 1 | 10 | 0 |
| | Mileage for Poll Clerks, to Bedeque, 12 miles, at 8d. - | 0 | 16 | 0 | 0 | 0 | 0 |
| | Posting adjourned notice, 15 miles, at 8d. - | 0 | 10 | 0 | 0 | 0 | 0 |
| 15. | Holding Election at Tryon, 2 days, - | 1 | 0 | 0 | 0 | 0 | |
| | 2 Poll Clerks, 2 days, at 7s. 6d. each per day, - | 1 | 10 | 0 | 0 | 0 | 0 |
| | Paid for preparing place for self and Poll Clerks, at Tryon, - | 0 | 0 | 0 | 1 | 10 | 0 |
| | Indenture, duplicates, and posting notice of qualification at the poll, - | 0 | 0 | 0 | 0 | 12 | 6 |
| | Mileage of 2 Poll Clerks to Tryon, - | 1 | 17 | 0 | 0 | 0 | 0 |
| | Stationery, and incidental expenses, - | 0 | 0 | 0 | 1 | 0 | 0 |
| | Printer's Bill, (J. D. Haszard.) - | 0 | 0 | 0 | 1 | 7 | 6 |
| | Travelling to make returns, 40 miles, at 8d. - | 1 | 6 | 8 | 0 | 0 | 0 |
| | | <u>£ 10 13 8</u> | | | <u>6 10 0</u> | | |
| | | Exchange, 1 2 7 | | | <u>11 16 3</u> | | |
| | | | | | <u>£ 18 6 3</u> | | |
| 1839. | | | | | | | |
| January 9. | Deduct travelling charges to make return to Writs, 26s. 8d. stg. - | £ 1 9 7 | | | | | |
| | Error in charging mileage and allowance to Returning Officer and Poll Clerks in sterling, instead of currency, - | <u>0 18 1</u> | | | <u>2 7 8</u> | | |
| | | | | | <u>£ 15 18 7</u> | | |

JOHN RAMSAY, *Esq., High Sheriff, Prince County,**To WILLIAM BEARISTO, Returning Officer.*

| | | Sterling. | | | Currency. | | |
|---------------|---|-----------------|----|----|------------------|----|----|
| 1833. | | £ | s. | d. | £ | s. | d. |
| September 30. | To posting Proclamations in public places, - - | 0 | 0 | 0 | 0 | 10 | 0 |
| | Mileage to Lot 17, 18 miles, at 8d. - | 0 | 12 | 0 | 0 | 0 | 0 |
| | 7 Miles, at 8d., to Lot 16, - | 0 | 4 | 8 | 0 | 0 | 0 |
| | 12 Miles, to Lot 15, at 8d. - | 0 | 8 | 0 | 0 | 0 | 0 |
| | 5 Miles, to Lot 18, - | 0 | 3 | 4 | 0 | 0 | 0 |
| November 12. | Holding Election, 2 days, - | 1 | 0 | 0 | 0 | 0 | 0 |
| | 2 Poll Clerks, 2 days, at 7s. 6d. each, per day, - | 1 | 10 | 0 | 0 | 0 | 0 |
| | 18 miles travelling, for Poll Clerks, at 8d. - | 1 | 4 | 0 | 0 | 0 | 0 |
| | Paid for preparing place for self and Poll Clerks, - | 0 | 0 | 0 | 0 | 3 | 0 |
| | Posting adjourned notices, 18 miles, at 8d. - | 0 | 12 | 0 | 0 | 0 | 0 |
| 15. | Holding Election, 2 days, at 10s. - | 1 | 0 | 0 | 0 | 0 | 0 |
| | 2 Poll Clerks, 2 days, at 7s. 6d. - | 1 | 10 | 0 | 0 | 0 | 0 |
| | Paid for the use of House, to hold Election, - | 0 | 0 | 0 | 1 | 5 | 0 |
| | Indentures and duplicates, and posting notices of qualification at the poll - | 0 | 0 | 0 | 0 | 12 | 6 |
| | Stationery, and incidental expenses, - | 0 | 0 | 0 | 1 | 0 | 0 |
| | Printer's Bill, (J. D. Haszard) - | 0 | 0 | 0 | 1 | 7 | 6 |
| | Travelling, to make return, 40 miles at 8d. - | 1 | 6 | 8 | 0 | 0 | 0 |
| | | <u>£ 9 10 8</u> | | | <u>4 18 0</u> | | |
| | | Exchange, 1 1 2 | | | <u>10 11 10</u> | | |
| | | E. E. | | | <u>£ 15 9 10</u> | | |

| | | | |
|------------|--|------------------|-----------|
| 1839. | | Brought forward, | £ 15 9 10 |
| January 9. | Deduct travelling to make return, 26s. 8d. sterling, | £ s. d. 1 9 7 | |
| | Error in charging mileage and allowance to Returning Officer and Poll Clerks in sterling, instead of currency, | 0 15 1 | |
| | | | 2 4 8 |
| | | | £ 13 5 2 |

No. 22.

HER MAJESTY'S GOVERNMENT,

To WILLIAM S. MACGOWAN, Sheriff of King's County.

For Expenses of holding the Election for Georgetown and Royalty, and King's County.

| | | Sterling. | Currency. |
|---|---|-----------|-----------|
| | | £ s. d. | £ s. d. |
| <i>Georgetown and Royalty:</i> | | | |
| Posting Proclamations in Georgetown and Royalty, and mileage, | - | 0 0 0 | 0 10 0 |
| 1 Day holding Election, - - - - - | - | 0 0 0 | 0 10 0 |
| 2 Poll Clerks, 1 day each, at 7s. 6d. - - - - - | - | 0 0 0 | 0 15 0 |
| Mileage from Souris to hold Election, 2 miles, at 8d. - - - - - | - | 0 13 4 | 0 0 0 |
| Stationery, &c., - - - - - | - | 0 0 0 | 0 8 0 |
| Duplicate of Indentures, - - - - - | - | 0 0 0 | 0 3 4 |
| Printer's Bill, - - - - - | - | 0 0 0 | 1 14 0 |

First District:

| | | | |
|--|---|--------|--------|
| Mileage, to post Proclamations, &c., at Rollo Bay, East Point and Bear River, 47 miles, at 8d. - - - - - | - | 1 11 4 | 0 0 0 |
| Mileage, to hold Election at M'Eachern's Mill, 10 miles, at 8d. - - - - - | - | 0 6 8 | 0 0 0 |
| 2 Days holding Election, at 10s. per day, - - - - - | - | 0 0 0 | 1 0 0 |
| 2 Clerks, 2 days each, at 7s. 6d. - - - - - | - | 0 0 0 | 0 15 0 |
| Mileage to Clerks, 5 miles each, at 8d. - - - - - | - | 0 6 8 | 0 0 0 |
| Paid Neil Morrison, for use of his house, to hold Election, - - - - - | - | 0 0 0 | 2 0 0 |
| Stationery, &c. - - - - - | - | 0 0 0 | 0 12 6 |
| Duplicate of Indentures, - - - - - | - | 0 0 0 | 0 3 4 |
| Printer's Bill, - - - - - | - | 0 0 0 | 1 17 3 |

Second District:

| | | | |
|---|---|-------|--------|
| Mileage, to post Proclamations, &c. at Lot 42, St. Peter's, Grand River and Launching Place, 60 miles, at 8d. - - - - - | - | 2 0 0 | 0 0 0 |
| Mileage, to hold Election at Cooper's Mill, 10 miles, at 8d. - - - - - | - | 0 6 8 | 0 0 0 |
| 1 Day holding Election, - - - - - | - | 0 0 0 | 0 10 0 |
| 2 Clerks, 1 day each, at 7s. 6d. - - - - - | - | 0 0 0 | 0 15 0 |
| Travelling 4 miles each, at 8d. - - - - - | - | 0 5 4 | 0 0 0 |
| Stationery, &c. - - - - - | - | 0 0 0 | 0 7 6 |
| Duplicate of Indentures, - - - - - | - | 0 0 0 | 0 3 4 |
| Printer's Bill, - - - - - | - | 0 0 0 | 1 18 6 |

Third District:

| | | | |
|---|---|--------|--------|
| Mileage, to post Proclamations, &c. at Murray Harbour, Little Sands, Lot 56, and Cardigan, 48 miles, at 8d. - - - - - | - | 1 12 0 | 0 0 0 |
| Mileage, to hold Election at Murray Harbour, 17 miles, at 8d. - - - - - | - | 0 11 8 | 0 0 0 |
| 2 Days holding Election, at 10s. - - - - - | - | 0 0 0 | 1 0 0 |
| 2 Clerks, 2 days each, at 7s. 6d. - - - - - | - | 0 0 0 | 1 10 0 |
| Mileage to each Clerk, 8 miles each, - - - - - | - | 0 10 8 | 0 0 0 |
| Use of Phillip's house, to hold Election, - - - - - | - | 0 0 0 | 1 7 6 |

Carried forward,

| | | | | | | Brought forward, £ | |
|-----------------------------------|---|---|---|-----------|---|--------------------------------------|----------------------|
| Stationery, &c. | - | - | - | - | - | 0 0 0 | 0 12 6 |
| Duplicate of Indentures, | - | - | - | - | - | 0 0 0 | 0 3 4 |
| Printer's Bill, | - | - | - | - | - | 0 0 0 | 1 18 6 |
| Incidental expenses on the whole, | - | - | - | - | - | 0 0 0 | 3 12 9 $\frac{3}{4}$ |
| | | | | | | <u>8 4 4</u> | |
| | | | | Exchange, | | 0 18 3 $\frac{1}{4}$ | |
| | | | | | | <u>9 2 7$\frac{1}{4}$</u> | |
| | | | | | | | £ 33 10 0 |

Souris, December 26th, 1838.

WILLIAM S. MACGOWAN, Sheriff of King's County.

| 1839. | | | | £ | s. | d. | |
|------------|--|---|---|----------|----|-----------------|-------------------------|
| January 9. | Deduct incidental expenses on the whole, | - | - | 3 | 12 | 9 $\frac{3}{4}$ | |
| | Error, in charging mileage of Returning Officer and Poll | | | | | | |
| | Clerks in sterling, instead of currency, | - | - | 0 | 6 | 8 | |
| | | | | <u>3</u> | 19 | 5 $\frac{3}{4}$ | |
| | | | | | | | £ 29 10 6 $\frac{1}{4}$ |

Certified at £ 29 10s. 6 $\frac{1}{4}$ d., currency.T. H. HAVILAND,
JOHN BRECKEN.

No. 23.

HER MAJESTY'S GOVERNMENT,

To SMITHS & WRIGHT, Dr.

For Repairs to the Market House.

| 1837. | | | | £ | s. | d. |
|-------|---|---|---|-------------|----------|----------|
| To 16 | Window Shutters, including painting, hinges, cord, &c. | - | - | 4 | 0 | 0 |
| | 96 lights, of glass, including cutting, also putty and glazing, | - | - | 6 | 8 | 0 |
| | | | | <u>£ 10</u> | <u>8</u> | <u>0</u> |

Charlottetown, 30th December, 1837.

No. 24.

HER MAJESTY'S GOVERNMENT,

To SMITHS & WRIGHT, Dr.

| 1838. | | | | £ | s. | d. |
|--------------|--|---|---|---|----|----|
| January 1. | To 26 lbs. Iron (omitted 30th Oct.) for bars for oven, | - | - | 0 | 6 | 6 |
| | 1 gallon Tar and 6 do. Pitch, for Colonade, | - | - | 0 | 4 | 3 |
| 10. | 1 square 15 x 11 glass, frame for do., 1 pair of brass Hinges and screws, glazing and fixing in the double Windows of Dining Room, | - | - | 0 | 7 | 0 |
| 24. | 1 Man part of a day putting up Stovepipe, and black putty for do. | - | - | 0 | 2 | 3 |
| 25. | Sash for Sheep-house, fixing, glass, and glazing, | - | - | 0 | 6 | 0 |
| 27. | 1 Man part of a day stopping a place to keep out snow, 2s. 4d.; nails and board, 6d. | - | - | 0 | 2 | 10 |
| February 19. | Repairing Forcing Pump, twice, | - | - | 0 | 3 | 4 |
| 20. | Measuring the Rooms and making out list of paper required (on the 1st January) | | | | | |
| | —also, making an Estimate this day of painting, fencing, &c. | - | - | 0 | 15 | 0 |
| | Box for a hearth for the Stove in Miss Fitz Roy's room, | - | - | 0 | 3 | 6 |

Carried forward,

| | | Brought forward, £ | | |
|-----------|--|--------------------|----|----|
| 1838. | | | | |
| March 14. | 14 yards green Binding, for Venetian Blinds, at 3½d., 4s. 6d.; 10½ yards do. at 2d., 1s. 9d. | 0 | 5 | 10 |
| | Preparing and fitting do., 2 sets, | - | 0 | 5 |
| | Carpenter half a day repairing Blinds, repairing Bell, taking down a Cupboard, &c. | 0 | 3 | 3 |
| 31. | 7 yards Binding, at 3½d., 2s. 0½d.; 5½ yards do. at 2½d., 11½d. | - | 0 | 3 |
| | Fixing do. for blinds—also, taking down and refixing some blinds, | - | 0 | 4 |
| | 2 Men part of a day taking out some windows, | - | 0 | 1 |
| April 18. | Box and cover for drain in cellar, | - | 0 | 3 |
| 23. | 2 Men, nearly 1 day each, (including time employed procuring tin, &c.) fixing tin in Cellar, removing Porch, &c. | - | 0 | 12 |
| | ¼ Hundred of Tin, for stopping rat holes, | - | 0 | 13 |
| | Tacks for do. 3s.; Nails and Board, 6d. | - | 0 | 3 |
| 28. | 2 Men part of a day taking out double Windows, and sundry jobs, | - | 0 | 5 |
| | 1 pair of Hinges, | - | 0 | 2 |
| May 5. | 1 man, part of a day, repairing Ice House, | - | 0 | 1 |
| | 24 feet of board, 2s.; nails, 4d. | - | 0 | 2 |
| 12. | 2 lbs. nails for Pigstyes, | - | 0 | 1 |
| 19. | 1 man part of a day, fixing shelves, &c. | - | 0 | 3 |
| | 8 feet of board, 8d.; nails, 6d. | - | 0 | 1 |
| 21. | 1 man part of a day, removing a door, and sundry small jobs, | - | 0 | 2 |
| | 1 Padlock, 1s. 6d.; ½ doz. Screws, 4d. | - | 0 | 1 |
| 26. | ¼ day altering some doors, and repairing hinges, | - | 0 | 1 |
| June 18. | Pulley for gate, 9d.; Hinges for Coal House, 2s. | - | 0 | 2 |
| | 1 man part of a day, fixing do., &c. | - | 0 | 3 |
| 20. | 10 lbs. Nails for Groom's cottage, | - | 0 | 6 |
| | 200 feet of Board for do. | - | 0 | 12 |
| | 2 Glass Doors for front entrance, wood and labour, including hanging and fitting, | 1 | 16 | 0 |
| | Priming do. 2s. 6d.; Glazing, 36 squares, at 2d. 6s. | 0 | 8 | 6 |
| | 6 squares of 16 x 12 Glass, at 3s. | 0 | 18 | 0 |
| | 30 smaller, averaged 8d. each, | 1 | 0 | 0 |
| | 6 lbs. Putty, 7d. | 0 | 3 | 6 |
| | 6 lbs. Nails, furnished to Mr. Hawkins, for Groom's cottage, | 0 | 4 | 6 |
| | 210 feet of Boards for Coal-house, and hauling, | 0 | 12 | 7 |
| | 4 lbs. Nails for do. at 8d., 2s. 8d.; 2 lbs. Spikes, at 5d., 10d. | 0 | 3 | 6 |
| | 2 Brass Buttons, 1s. 2d.; 8 yds. Cord, at 2d., 1s. 4d. | 0 | 2 | 6 |
| | ¼ day repairing blinds, &c. | 0 | 1 | 9 |
| | 4 lbs. Spikes, for Pigstyes, | 0 | 1 | 8 |
| June 23. | 2 men, 1½ day each, fixing place for ventilating Stable—fixing a partition and repairing the Coal-house, | - | 0 | 19 |
| | 1 pair Hinges for Ash-pit house, | - | 0 | 2 |
| | Removing a gate near the Ice-house, and boarding, | - | 0 | 3 |
| | ½ lb. Nails for do. | - | 0 | 0 |
| | 2 men, ¾ of a day each, repairing and hanging a large gate in back fence of the farm, and setting posts, | - | 0 | 9 |
| | Iron work for gate, 8s.; Nails, 6d., painting, 4s. 6d. | - | 0 | 13 |
| | 2 new Posts, and hauling do. | - | 0 | 7 |
| | 1 Lock, 3s. 6d.; Latch, 1s. 4d.; Hinges, 3s. for Groom's room, | - | 0 | 7 |
| | 2 large entrance Gates, with side Gates, and palisading, as per estimate, £10 each, | 20 | 0 | 0 |
| | 1 large Gate near the house, with palisading on the sides, iron work and painting, 2 coats—all as completed, | - | 6 | 5 |
| | 1 Palisade Gate in the back way, to the farm yard, and iron work, painting, &c. | 1 | 5 | 6 |
| | 4 Gates in the farm yard, with iron work, painting, Juniper posts, &c. complete, 52s. 6d. | 10 | 10 | 0 |
| | 38 Juniper Posts for fencing, and hauling do. | - | 2 | 6 |
| | 160 Longers for do. at 2d. | - | 1 | 6 |
| | 2 pair gate Hinges, at 4s., 8s.; Hasps and Staples, 2s. | - | 0 | 10 |

Carried forward,

| | | Brought forward, £ | 5 | 4 | 6 |
|---|---|--------------------|------|----|----|
| | 38 pannels of fencing, at 2s. 9d. | - | | | |
| | 2 pair 12 light Sashes, for Groom's cottage, frames and fixing, including cutting out places, | - | 1 | 8 | 0 |
| | 1300 feet of Boards for Pigstyes, and hauling, | - | 3 | 5 | 0 |
| June 25. | 12 lbs. Nails for Pigstyes, at 8d. | - | 0 | 8 | 0 |
| 30. | 10 lbs. Nails for Groom's cottage, at 9d. | - | 0 | 7 | 6 |
| | 4 M. Shingles for Pigstyes, and hauling, | - | 1 | 12 | 6 |
| July 2. | 14 lbs. Shingle Nails, 9d.; 3 lbs. 10dy. Nails, at 9d., for do. | - | 0 | 12 | 9 |
| 3. | 292 feet of pine Boards and Plank, for Groom's cottage, | - | 0 | 17 | 6 |
| | Hauling the above, | - | 0 | 1 | 3 |
| 9. | 8 lbs. Nails for Pigstyes, 75 fet. inch pine Boards, | - | 0 | 12 | 3 |
| | 25 feet of 1½ inch Plank, for do. | - | 0 | 2 | 7 |
| 10. | 1 man ¾ day repairing Stable, 4s. 10½d.; Boards, 10d. | - | 0 | 5 | 8½ |
| | 2 pairs Hinges and Screws for Seed Boxes, | - | 0 | 2 | 4 |
| 11. | 1 man half a day at do. | - | 0 | 3 | 3 |
| 12. | 1 man 1 day in bake-house and other jobbing, | - | 0 | 6 | 6 |
| 13. | 5 pairs hook & eye Hinges for Pigstyes, | - | 0 | 12 | 6 |
| | 5 Sliding Bolts, at 1s.; 5 lbs. Nails, at 9d.; for do. | - | 0 | 8 | 9 |
| 16. | 1 man 1½ day, making a rough table, fixing pieces across kitchen window, and sundry jobs, | - | 0 | 8 | 2 |
| | 2 panes 12 x 10 Glass, and putty and glazing, | - | 0 | 2 | 10 |
| | 1 11 x 15, do. (Kitchen), 3s.; 20 feet of Board, at 1d. | - | 0 | 4 | 8 |
| 25. | 1 pair Gate Hinges, | - | 0 | 5 | 3 |
| | 1 man part of a day repairing lock, &c. | - | 0 | 2 | 0 |
| 26. | 12 Brass knobs for window blinds, | - | 0 | 3 | 0 |
| | 6 Curtain pins, 9s.; half gross Green cord, at 2d. per yd. | - | 1 | 1 | 0 |
| | 6 Knobs, 1s. 6d.; 14 yds. binding, at 3½d., 4s. 1d.; 10 yds. do. at 2½d., 2s. 1d. | - | 0 | 7 | 8 |
| | 1 Blind for Bedroom window, and fixing, | - | 0 | 4 | 6 |
| | Repairing Venetian Blinds, | - | 0 | 4 | 0 |
| 30. | 2 lbs. Nails for scaffolding, | - | 0 | 1 | 6 |
| | Half gross of green cord, at 1¾d. per yd.; 24 feet of Board, at 1d. | - | 0 | 12 | 0 |
| | 1½ lbs. Nails, 1s. 4½d.; 1 man part of a day repairing roof and fixing carpets, 3s. 9d. | - | 0 | 5 | 1½ |
| | 1 man half a day battening inside of Groom's cottage, | - | 0 | 3 | 3 |
| | 24 panes of glass for cottage, at 7d., glazing do. 2d. | - | 0 | 18 | 0 |
| | 4½ lbs. Putty, 2s. 7½d.; painting Cottage door and windows, 3 coats, 8s. 6d. | - | 0 | 11 | 1½ |
| August 15. | 46 feet of Boards, for Coal-house, and hauling, | - | 0 | 3 | 10 |
| | 1 man 2 days work, taking down curtains and removing oil cloth, | - | 0 | 13 | 0 |
| August 15. | New battens, and fixing on the colonade, | - | 0 | 3 | 6 |
| 18. | 1 man 2 days work at shelves, pin racks, window curtains, &c. | - | 0 | 13 | 0 |
| | 64 feet of boards, at 1d. | - | 0 | 5 | 4 |
| | 3 lbs. Nails, 2s. 3d.; Brads, 4d.; Hasp, 2d.; Staples, 4d. | - | 0 | 3 | 1 |
| [25. | 1 man 2½ days, (part each of 22d, 23d, 24th and 25th), taking down and refixing blinds, | - | 0 | 16 | 6 |
| | 2 oz. Tacks, 6d.; 4½ ft. Boards, 4½d.; Nails, 3d. | - | 0 | 1 | 1½ |
| 29. | Refixing Oil Cloth in the Saloon, and Waiting Room, and fitting in the pieces, | - | 0 | 15 | 6 |
| | 1½ lb. Tinned Tacks, | - | 0 | 5 | 0 |
| September 2. | Box for little passage leading to the Office, wood work, 6s.; hinges, 9d.; screws, 4d. turn-buckle, 9d. | - | 0 | 7 | 10 |
| | | | £ 85 | 3 | 4½ |
| Deduct an error in glass and glazing, and work of glass doors, charged 36, instead of 30 panes, | | | 0 | 7 | 0 |
| | | | £ 84 | 16 | 4½ |

Charlottetown, 3d September, 1838.

No. 25.

HER MAJESTY'S GOVERNMENT,

To SMITHS & WRIGHT, Dr.

| Painting at Government House. | | £. | s. | d. |
|--|--|----|----|----|
| To painting Walls, Colonade, &c., two coats, and sanding Cornices and Columns, as per contract. | | 75 | 0 | 0 |
| Painting Columns and Cornices, a third coat, and putting on an additional coat of sand, on 300 yards, at 8d. | | 10 | 0 | 0 |
| Painting 38 pannels of fencing, | | 2 | 7 | 6 |
| 70 Iron Hurdles, | | 1 | 15 | 0 |
| Carried forward, | | | | |

| | | |
|---|--------------------|------------------|
| | Brought forward, £ | |
| Paint Garden Gate, and Palisading on sides, | - | 0 10 6 |
| Materials for painting walls of Waiting Room, and wood work, 3 coats—wood work and cornices in Saloon, Dining-room, Drawing-room, centre Room, School-room, and four Bed-rooms, | - | 16 13 9 |
| Painting the whole of the above, (some of the rooms 4 coats) | - | 13 15 0 |
| Painting Guard-house, 103 yards, (some parts 2 coats) and sanding columns, | - | 3 5 0 |
| | | <u>£ 123 6 9</u> |

Charlottetown, 3d September, 1838.

No. 26.

HER MAJESTY'S GOVERNMENT,

To ISAAC SMITH, Dr.

| 1838. | | £ | s. | d. |
|---------------|---|----------------|----|----|
| March 9. | To Plan, Specification and Estimate, for a Bridge at Hermitage Creek, | 2 | 5 | 0 |
| May. | Two journeys to the Hillsborough Ferry-house, Report of the state thereof, Specification and Estimate of Repairs, &c. | 1 | 10 | 0 |
| | Plan, Specification and Estimate of an addition to the Wharf at Georgetown, | 1 | 7 | 6 |
| 1839. Jan. 1. | Specification and Estimates, last year, of alterations and improvements to the Jail and Premises in Charlottetown, by order of the Visiting Magistrates—also, inspection of the work and certificate thereon, this day, | 2 | 5 | 0 |
| | | <u>£ 7 7 6</u> | | |

Charlottetown, 1st January, 1839.

No. 27.

HER MAJESTY'S GOVERNMENT,

To THOMAS H. HAVILAND, Treasurer, Dr.

| 1838. | | £ | s. | d. |
|--------------|---|-------------------|----|----|
| January 4. | To paid freight of Books for Legislative Library, | 0 | 13 | 7 |
| 13. | Licence Book, | 0 | 2 | 0 |
| 20. | James Moore, for labour at Queen's Wharf, | 2 | 0 | 0 |
| February 13. | Elizabeth Chappell, for public postage, | 1 | 5 | 0 |
| 24. | John Easton, per order of Lieutenant Governor, | 1 | 0 | 0 |
| April 18. | Jabez Bernard, per order in Council, February 7. | 2 | 10 | 0 |
| 20. | Clear Lallow, do. Jan. 4. | 0 | 16 | 8 |
| | Do. do. April 12. | 1 | 6 | 6 |
| May 7. | Elizabeth Chappell, for public postage, | 1 | 6 | 3 |
| 11. | A. M'Kenzie, per order in Council, May 3. | 2 | 0 | 0 |
| 14. | Sergeant Potter, per order of Lieut. Governor, | 3 | 3 | 9 |
| 25. | Solicitor General, per order in Council, April 12. | 1 | 3 | 4 |
| June 4. | J. D. Haszard, for a Day Book, | 0 | 17 | 6 |
| July 9. | J. Rider, per order in Council, July 6. | 0 | 16 | 3 |
| 10. | H. Stamper, per order in Council, March 8. | 0 | 14 | 0 |
| 17. | Alexander Brown, do. July 6. | 1 | 11 | 0 |
| 24. | Clear Lallow, do. do. | 0 | 16 | 10 |
| August 1. | John Sharp, do. July 4. | 0 | 15 | 0 |
| 3. | Elizabeth Chappell, for public postage, | 3 | 9 | 6 |
| 27. | Richard Mitters, per order in Council, August 8. | 0 | 14 | 0 |
| October 3. | Cundall & Co. do., July 16. | 1 | 9 | 0 |
| | Henry Stamper, per order of Lieutenant Governor, | 0 | 12 | 6 |
| 5. | J. D. Cantelo, do. | 3 | 0 | 0 |
| 27. | Oliver Le Bow, and other Indians, | 2 | 0 | 0 |
| November 1. | Elizabeth Chappell, public postage, | 1 | 18 | 4½ |
| 3. | Patrick Doolan, per order of Lieutenant Governor, | 3 | 12 | 6 |
| 5. | David O'Neill, for work done at Government House, and omitted to be charged in Smiths' account, | 3 | 6 | 10 |
| 13. | Angus M'Phee, per order of Lieutenant Governor, | 1 | 10 | 6 |
| 21. | James Wood, do. | 1 | 0 | 0 |
| December 5. | Owners of Victoria, do. | 2 | 4 | 0 |
| | Henry Stamper, do. | 2 | 15 | 0 |
| | | <u>£ 50 9 10½</u> | | |

January 1, 1839.

T. H. HAVILAND.

APPENDIX

(F.)

[SEE PAGE 74.]

Message.

C. A. FITZ ROY, Lieutenant Governor.

The Lieutenant Governor lays before the House of Assembly, for their information, the copies of a Correspondence which has passed between Her Majesty's Government and Mr. George R. Young, relative to the arrangement agreed to by the Earl of Ripon, in 1833, for the commutation of the Quit Rents in this Island.

Government House, February 27, 1839.

—o—

No. 58. DOWNING STREET,
28th July, 1838.

SIR;

I TRANSMIT herewith, for your information, the copies of a correspondence which has passed between this department and Mr. G. R. Young, relative to the arrangement agreed to by the Earl of Ripon, in 1833, for the commutation of the Quit Rents in Prince Edward Island.

The principal points discussed in this correspondence are—First, The apparent departure from that arrangement, in the collection, for a Sixth year, of the Tax imposed by the 11th George the 4th, cap. 17; and Secondly, The claim of the Proprietors to be relieved from Quit Rent retrospectively, as well as prospectively, by the payment, at any time within the first period of fifteen, and within the second period of eighteen years' purchase of their several Quit Rents.

On the first point, you will perceive, from Sir George Grey's letter of the 1st February, that I have consented, on the part of Her Majesty's Government, to accept the sixth year's Tax as an instalment of the commutation which the Proprietors will hereafter have to pay. I do not doubt the legality of the exaction of that Tax during the current year; but as the Earl of Ripon, in fixing the terms for the commutation of the Quit Rents appears not to have adverted to the probable extension of the Act, 11 Geo. 4, cap. 17, to six years, instead of five, it would not, in my opinion, be just to adopt an interpretation of his Despatch which would place the Proprietors in a worse situation than was contemplated in January, 1833.

*1

In regard to the Second question raised in this correspondence, I thought it right, before pronouncing a final decision, to obtain the opinion of the Lords Commissioners of Her Majesty's Treasury; and I accordingly addressed to their Lordships, through my Under Secretary, the letter of which a copy is herewith inclosed. Their Lordship's decision is contained in Mr. Spearman's letter of the 19th March last; but Mr. Young having, in his letter of the 4th April, controverted that decision, I thought it necessary to submit his arguments for their Lordship's consideration, before taking any final steps in this matter. You will observe, from Mr. Spearman's letter of the 23d instant, that they do not see any sufficient ground in Mr. Young's communication for altering the opinion which they had previously expressed. In this view I entirely agree, and you will therefore consider the decision contained in Mr. Spearman's letter of the 19th March last as a rule for your guidance in this matter.

You will take the necessary measures for making known to all parties concerned the substance of this Despatch.

I have, &c.

(Signed) GLENELG.

Sir Charles Fitz Roy, &c. &c. &c.

LONDON, 22d January, 1838.

MY LORD;

I have the honour of addressing your Lordship upon the subject matter of the interview held with the deputation of the Proprietors of Prince Edward Island, on Friday last.

The deputation request me to convey their thanks to your Lordship, for the promise made to them that the Treasurer would be directed by the first Packet to suspend the collection of the Land Tax, imposed by the Act of 11 Geo. 4, cap. 18, for the *sixth year's Tax*, until the opinion of the Crown Officers had been obtained. The Proprietors are most anxious to avoid any controversy or collision, or to raise any question in the Courts in which their rights and interests are concerned; and with this view, they have authorized me to submit the following proposition, for your Lordship's consideration. If acceded to, it will render any interference on the part of your Lordship with the collection of the Tax unnecessary, and remove the necessity of their taking an hostile position with the officers of the local Government. If forced to this step, it would afterwards affect that harmony and combined operation, in promoting the settlement and prosperity of the Colony, which they now hope to introduce.

By referring to the letter of Viscount Howick, of which a copy is annexed, and to the Despatch inclosed in it, your Lordship will perceive that at the time this Act was passed, Her Majesty's Government then offered that the holders of land should be at liberty to commute their Quit Rents at twenty years' purchase. This offer is contained in a Despatch to the Lieutenant Governor of the Island, and bears date January, 1833. I give an extract from it in the annexed paper, marked (A). A copy of this Despatch was transmitted by Viscount Goderich [Howick] to Robert Stewart, Esq. who was then conducting a correspondence with the Colonial Office, on behalf of himself and others, with a view of effecting a commutation of Quit Rents upon the same terms as were tendered in the other Colonies. In this he did not succeed, the twenty year's purchase being exacted from them, although they were offered to be commuted in Nova Scotia and New Brunswick for sixteen years' purchase. By the extract given, however, your Lordship will perceive that Viscount Howick, in distinct language, limited the continuance of this Act *to the period of five years*, and after it had expired, conferred upon the Proprietors the right of redeeming the Quit Rents, at any period within two years, at fifteen years' purchase. To quote, my Lord, the language of the Despatch, 'during the first two years *after the expiration of the five years for which the claim to Quit Rents has been suspended*, the Quit Rents should be redeemable at 'fifteen years' purchase.' By the 12th and last Section of the Statute itself, it is provided 'that the operation of this 'Act shall be suspended, and it shall be of no force or 'effect, until it shall be ascertained that His Majesty shall 'have been pleased to relinquish *all claim to the said Quit 'Rent during the continuance of this Act*'—thus placing it beyond dispute, not by inference, but by express language, that both the Legislature and His Majesty's Government, at the time the Act went into operation, regarded the payment of the Tax imposed by it as an equivalent for the Quit Rents. Before the close of the correspondence

referred to, your Lordship will perceive that Mr. Stewart offered to comply with the terms tendered by the government, and to pay the fifteen years' purchase, provided interest were allowed for prompt payment.—[See Mr. Stewart's letter to Viscount Howick, February 19th, 1833.]

With whatever virulence and success the payment of the Quit Rents have been resisted in other Colonies, and although their collection has been abandoned as against the owners of the soil in the neighbouring Colonies of New Brunswick and Nova Scotia, the Proprietors have ever acknowledged the right of Her Majesty's Government to claim, and their own readiness to discharge, this branch of the Crown Revenue. To them it is of no consequence whether they pay their Rents to the Queen's Minister or to the local Legislature; and if your Lordship approve of it, they have no objection to submit to the collection of the sixth year's tax, under the Act, provided your Lordship will confirm the proposals made by Viscount Goderich, while Minister of State for the Colonies, in 1833, and allow them, now that the Act has been extended to *six* years, in place of five, as contemplated by the Government, to redeem the Quit Rents at fourteen years', in place of fifteen years' purchase. In making this proposal, they press it upon your Lordship's sense of justice, and upon that anxiety for which they give your Lordship credit, to uphold in good faith a tender considerably made by His Majesty's Government to them, as a portion of His Majesty's subjects, and an agreement which they consider Her Majesty's Government in Law and honor bound at this time to fulfil.

By this course their opposition to the Act will be declined—a controversy both with the local authorities in the Island and an appeal to the Courts, be prevented.

I urge it respectfully, at the same time earnestly, upon your Lordship's consideration upon this ground, that if the Proprietors were even defeated in the Courts of the Island, they would be justified, under the terms proposed by Viscount Howick, to apply to Her Majesty's Government for relief, for a deduction in the terms of purchase equivalent to the additional year's tax unexpectedly demanded from them. If Mr. Stewart and the other Proprietors had paid the fifteen years' purchase at the time, upon the clear understanding both of His Majesty's Ministers and themselves, that the Act was limited to five years' duration, and five years only, and a sixth year's tax were now demanded and enforced, they feel a thorough conviction that your Lordship would have adopted measures to restore to them the sum thus unexpectedly, and contrary to the terms of the original agreement, extorted from them. And they rejoice, my Lord, that as the disposal of the Quit Rents still remain under the controul of Her Majesty's Government, that your Lordship has the power of acceding to the proposition they now submit.

I have, &c.

(Signed) GEORGE R. YOUNG.

The Right Hon. Lord Glenelg, &c. &c. &c.

N. B.—The six *Royal Gazettes* of the Island are enclosed to prove that the Tax has been collected for *five* years, and is in the course of collection for the sixth year.

DOWNING STREET,
14th February, 1833.

SIR;

In reference to my letter of the 28th ultimo, respecting Quit Rents in Prince Edward Island, I am directed by Viscount Goderich to transmit to you the inclosed copy of a Despatch to the Governor, explaining the measure which, after mature deliberation, it has been determined to adopt on this subject. In deciding on the course of proceeding which is here announced, His Majesty's Government has been guided by a desire to do justice to the Owners of Land, and at the same time to promote, as far as possible, the general interests of the Colony. Should you be desirous at once to redeem the Quit Rents on your land, at fifteen years' purchase, Lord Goderich will be very happy to afford you every facility for that purpose, and to take measures for procuring you, in conformity with the intention signified in his Lordship's Despatch to the Governor, a formal release, at the same time, from the condition respecting settlement.

I am, &c.

(Signed) HOWICK.

R. Stewart, Esq. 94, Great Russell Street.

(A.)

"The arrangement respecting Quit Rents in Prince Edward Island, embodied in the Provincial Statute, 11 Geo. 4, cap. 17, must not be disturbed. But so far as is consistent with that agreement, I am desirous to extend to Prince Edward Island, a very advantageous arrangement, which has lately been offered to the Colonists of New Brunswick. The inclosed Extract from my Despatch to the Governor of New Brunswick, will explain to you that arrangement, and the following is the manner in which I propose that it should be made applicable to Prince Edward Island:—During the first two years after the expiration of the five years for which the claim to Quit Rent has been suspended, the Quit Rents should be redeemable at fifteen years' purchase; during the next period of two years, they should be redeemable at eighteen years' purchase. At all subsequent periods, they should be redeemable at twenty years' purchase. The claim to Quit Rent will revive retrospectively, as well as prospectively, at the termination of the existing agreement. But following the analogy of the measure adopted for New Brunswick, I am of opinion, that the arrears, up to the time when the plan I have described will come into operation, should be remitted."

DOWNING STREET, 1st February, 1838.

SIR;

I am directed by Lord Glenelg to acknowledge the receipt of your letter of the 22d ultimo, on the subject of

the Quit Rents payable by the Proprietors in Prince Edward Island, whose interests you represent. His Lordship desires me to express his acquiescence in the general principle for which you contend, namely—that the proposal made by the Earl of Ripon, in the year 1833, forbids the demand by the Government, both of a commutation tax for six years, and then of a price for the redemption of the Quit Rents on the stipulated terms of fifteen, eighteen, or twenty years' purchase, according as that redemption should be sooner or later made. But this admission does not appear to Lord Glenelg to involve the inference, that after paying the tax for six years, the commutation should be effected by a reduction of one year's purchase from the redemption money. It is obvious that this would be a much less advantageous arrangement for the public than that which was offered in the year 1833. Lord Ripon's proposal will be carried into complete execution if it be agreed between the Government and the Proprietors that whatever may be paid by them, in respect of the six years' tax, shall be considered as an instalment of the redemption money—that instalment might, if necessary, be made to carry interest down to the final adjustment of the Account; but in that case there must, on the side of the Government, be a charge made for interest during the same period upon the entire redemption money. Adopting, therefore, your principle, but differing from you in some degree as to the application of it, Lord Glenelg trusts that he may be indebted to your intervention for bringing this long pending question to a satisfactory conclusion.

I have, &c.

(Signed) GEO. GREY.

G. R. Young, Esq.

LONDON, 2d February, 1838.

MY LORD;

I am directed by the Proprietors of Prince Edward Island whom I represent, to acknowledge the receipt of Sir George Grey's letter of the 1st instant, and to convey the expression of their thanks to your Lordship, for your ready acquiescence in the proposal made by them, and for your determination to confirm the terms offered by the Earl of Ripon, in 1833, for the commutation of the Quit Rents. The promise made by your Lordship, that whatever sum may be paid by them, in respect of the sixth year's tax, shall be considered as an instalment of the redemption money, is satisfactory to the Proprietors, and will remove their opposition to the collection of the sixth year's tax in the Island. They are glad to be enabled to relieve your Lordship from any interference with the local authorities, so far as they are concerned, in relation to this tax, and request me to convey their cordial concurrence to the general principle, as expressed in Sir George Grey's letter.

By the language of the third paragraph, however, a new question is raised, as to the details of the settlement, upon which I beg to state most respectfully, that I am compelled,

after due consideration, to entertain an opinion different from that which is expressed in Sir George Grey's communication.

The question of interest is one now stated for the first time on the part of Her Majesty's Government. In 1833, when the terms of adjustment were decisively made by the Earl of Ripon, Mr. Stewart offered, in the letters referred to in the margin, to pay the fifteen years' purchase in advance, provided interest were allowed for prompt payment. This proposition was not met on the part of His Majesty's Government, solely on the ground that this deduction was claimed; and since that time the Proprietors have ever regarded the terms of commutation to remain independent of interest. If the Government refused to allow, they were of opinion no demand could subsequently be raised for interest.

By the terms of commutation, they are allowed, during the two first years after the expiration of the five years, for which the claim to Quit Rents had been suspended, to redeem the Quit Rents at fifteen years' purchase, if the Act expired on the 21st August, 1839. There is no reference to interest in the Despatch. The subsequent negotiation with the Government conveyed the impression that the proposals stood free of any claim for interest; and they have therefore, since that time, entertained the opinion, that by tendering the fifteen years' purchase, without interest, they would have met the language and complied with the intention of Her Majesty's Government relative to this settlement.

The payment of the sixth year's tax, under the Act of the Island Legislature, is a new and unexpected feature in the transaction; the Proprietors regard it as a payment in anticipation—as a demand made upon them anterior to the time in which the government had left them free to act; and I am bound to state to your Lordship, that had it not been for the negative given by the Earl of Ripon to Mr. Stewart's proposal, I would have preferred a claim for interest upon the sum from the time of payment up to the latest time in which the commutation was permitted; but conceiving the question of interest to have been already decided by Her Majesty's Government, I submitted the proposition free of any such claim. I felt anxious to put it to your Lordship in such a shape that the reception of the broad principle might not be embarrassed by any collateral difficulties. By this concession, the Proprietors, however, are of opinion, that the terms now proposed by them are more favorable to the public than if the terms offered by the Earl of Ripon had been strictly complied with; and the deputation, in waiting on your Lordship, intended to refer to it as another proof of their anxiety to preserve the peace of the Island, and to comply, in honor and good faith, with every requisition proposed by Her Majesty's Government.

In dealing upon such a question, and for so respectable and influential a constituency as the Proprietors of Prince Edward Island, I know your Lordship will respect an open

and candid declaration upon my part. There is certainly no expression in Sir George Grey's letter which authorizes the presumption that Her Majesty's Government intended, in future, to exact interest upon the different years' purchase, if they are paid within the periods prospectively provided; but while they authorize me, in express language, to waive any claim for interest upon the tax they now engage to pay, they wish their understanding to be stated, that the terms of the Earl of Ripon's Despatch will be fulfilled on the part of Her Majesty's Government, and that no interest will be demanded from them—that is, to prevent ambiguity or any possible ground of future difference, that the Proprietors will be entitled to commute their Quit Rents to any time within two years after the expiration of the five years referred to, on paying fifteen years' purchase, *without interest*, less the sum paid by them for the sixth years' tax, now collecting in the Island; and at any time within four years, on paying eighteen years' purchase, *without interest*, less the same sum.

Sir George Grey's letter, I conceive, bears this interpretation; and had I exercised the precaution of waiving the claim for interest on the part of the proprietors, the above explanation would not, I presume, have been necessary. I beg to convey to your Lordship my personal acknowledgments for the trust expressed in the concluding sentence of Sir George Grey's letter, and to assure your Lordship, that it will afford me sincere satisfaction, if I can be instrumental in effecting a satisfactory settlement of this question, and in thus contributing, in the remote degree that is in my power, to aid the policy of your Lordship, which, in reference to the Colonies with which I am connected, has had so beneficial an influence upon their prosperity and political relations.

I have, &c.

(Signed)

GEO. R. YOUNG,

Solicitor & Counsel.

The Right Honorable the Lord Glenelg.

DOWNING STREET,

27th February, 1838.

SIR;

When Land in Prince Edward Island was originally granted by the Crown, one of the conditions annexed to the several Grants was the payment of an annual Quit Rent of Three Shillings, subsequently reduced to Two Shillings, per every 100 acres. In that Colony, however, as in the Continental Provinces of British North America, it was found, during a long series of years, almost impossible to collect this Quit Rent; and accordingly, in 1833, the Earl of Ripon proposed to the Proprietors to extinguish it by the payment of a specified commutation. A copy of the Despatch [Lord Goderich to Lieut. Governor Young, No. 14, 27th January, 1833], in which his Lordship explained the terms of his proposition, is herewith inclosed, for the information of the Lords Commissioners of Her Majesty's Treasury.

The operation of Lord Ripon's arrangement was, as you will observe, suspended during the existence of the Provincial Act 11 Geo. 4, cap. 17, and in a subsequent passage of the Despatch, the period of this suspension was described as "five years." There can be no doubt that Lord Ripon considered those periods as identical, and the offer of the Government was therefore tantamount to a promise, that after paying the local tax for five years, the Proprietors should be at liberty to commute their Quit Rents for 15, 18 or 20 years' purchase, as the case might be. But as the duration of the Act 11 Geo. 4, cap. 17, was fixed at five years from the time 'that His Majesty's 'Royal allowance thereof shall be published, and from 'thence to the end of the then next Session of the General 'Assembly;' and as 'the period of five years' expired on the 21st August, 1837, a time at which the annual Session of the Legislature had recently closed, the actual duration of the Statute has been six years, and the sixth year's tax has been demanded from the Proprietors, and paid by them.

Under those circumstances, they have appealed to Her Majesty's Government, against what they consider as an encroachment on Lord Ripon's offer; and after repeated communications with Mr. Young, the Representative of some of the most influential Proprietors in the Island, Lord Glenelg has consented to relieve them by accepting the sixth year's tax as an instalment of any commutation which they may hereafter pay.

But other questions have been raised in the course of this discussion, namely—

1st. Whether the Commutation price is to bear interest from the date at which Lord Ripon's arrangement first came into operation until the time of payment; and—

2nd. Whether the payment of it, at any time within the respective periods of two and four years, is an entire acquittal, retrospectively as well as prospectively, of all Quit Rent.

On the first question, the Proprietors appeal to a decision of Lord Ripon himself. Mr. Stewart, one of the Proprietors, having offered, in 1833, to anticipate the commutation of his Quit Rents, on condition of obtaining a discount for prompt payment, and Lord Ripon declined to accept his offer, or in any way to diminish the amount of his commutation.

The Government therefore having refused to allow interest, cannot, as it is argued by the Proprietors, demand it.

As to the second question, it is maintained on the part of the claimants, that the payment of 15 years' purchase, at any period of the first two years, and of 18 years' purchase, at any period of the second two years after August, 1837, is a complete acquittal of all Quit Rent whatever.

Lord Glenelg has had frequent interviews with Mr. Young, and some of the principal Proprietors, on the whole of this subject; but in a matter so strictly of a financial character, his Lordship is anxious to have the ad-

vantage of the opinion of the Lords Commissioners of the Treasury.

I inclose, for their Lordships' information, extracts of two letters [326, 2d February—445, 15th July] on the subject, lately received from Mr. Young, from the latter of which it will be observed that the Proprietors have requested that before any decision is adopted unfavourable to them, they may have an opportunity of making a representation of their views to the Lords of the Treasury.

I have, &c.

(Signed)

J. STEPHEN.

A. Y. Spearman, Esq.

&c. &c. &c.

TREASURY CHAMBERS,

19th March, 1838.

SIR;

The Lords Commissioners of Her Majesty's Treasury having had under their consideration the several points adverted to in your letter of the 27th ultimo, on the subject of the redemption of the Quit Rents payable to the Crown in Prince Edward Island, with the observations submitted to Lord Glenelg by Mr. Young, on behalf of the Proprietors liable to those Rents, I am directed to state, that it does not appear to their Lordships to be necessary to direct any further communication to be made to Mr. Young before they signify to Lord Glenelg their opinion upon the question, with respect to which their decision is required.

On a review of the proceedings which have given rise to those questions, their Lordships observe, that the Act passed by the Legislature of the Island in the year 1830, provided for the payment by the inhabitants of a Land Tax, at the rate therein specified, "during the continuance of the Act," on the express condition that the Crown should relinquish all claim to Quit Rent *during such continuance*. This Act was to remain in force for five years, from the time of the Royal allowance thereof being published in the Island, and from thence to the end of the then next Session of the General Assembly—the first year's tax being payable within six months from the publication; and it would appear, that such publication having been made on the 21st August, 1832, the Act took effect from that date, and the first year's tax was accordingly payable on or before the 21st of February, 1833. After this Act had thus come into operation, viz: in January, 1833, the Earl of Ripon, in a Despatch dated the 27th of that month, signified to the then Lieutenant Governor of the Island the terms upon which the Tenants of the Crown would be permitted to redeem their Quit Rents, observing, at the same time, 'that the agreement respecting the Quit Rents 'in Prince Edward Island, embodied in the Provincial 'Statute of 11 Geo. 4, cap. 17, must not be disturbed;' and also stating, that 'the claim to Quit Rents would 'revive retrospectively as well as prospectively at the ter-

'mination of the existing agreement;' but that 'his Lordship was of opinion, that the arrears due when the plan he had described would come into operation should be remitted,' but 'that the punctual payment of all unredeemed Quit Rents ought to be rigorously exacted.'

The terms of redemption proposed in this Despatch, with reference to analogous arrangements in the neighbouring North American Colonies, were, that 'during the first two years after the expiration of the five years for which the claim to Quit Rents had been suspended, the Quit Rents should be redeemable at 15 years' purchase. During the next period of two years, they should be redeemable at 18 years' purchase; and at all subsequent periods, they should be redeemable at 20 years' purchase.'

Referring to this Despatch, it appears to their Lordships, that although an accidental circumstance has prolonged the operation of the Act, in such manner that, under its provisions, a sixth year's tax became payable in the period between the 21st August, 1837, and the 21st February last, the Act should be considered to have expired in August last, at the termination of the fifth year of its operation, so far as regards the period at which commutation might be effected; and that it should be, consequently, at the option of the Quit Rent Tenants, from that period, to redeem their Rents at the rates of purchase proposed by Lord Ripon. Their Lordships are also of opinion, that the Tax or Rent payable for the year in which the redemption is effected, may very properly be taken as part of, and allowed to merge in, the commutation; but they see no grounds whatever which should have warranted the expectation to which Mr. Young's letter would seem to refer, of the further remission or commutation, at any time within the two first periods mentioned in the Despatch, of the whole of the Rents that might have accrued after the expiration of the Act—which, if permitted, would be an inducement to defer the redemption in each period until the second year.

Under these circumstances, it appears to their Lordships, that all Rents in arrear at the period when the Provincial Act of 11 Geo. 4, cap. 17, was confirmed and came into operation, must be considered to have been remitted by the authority of the Despatch of 27th January, 1833; but that no further remission could have been contemplated by that Despatch, nor ought to be allowed, with the exception already stated of the Rent of the year in which commutation may be effected, whether the same be payable, as in the year 1837-8, under the provision of the Act, or, as will subsequently be the case, under the original Grants and Tenures of the land.

Their Lordships further direct me to observe, that according to this view of the subject, the question as to the payment of interest on the commutation does not arise, as the Proprietors omitting or deferring to commute become liable to the Tax or Rent; and no remission of such liability would be granted nor would the commutation be

completed, nor the title of the Proprietor to the unincumbered property, or to the release from the condition respecting location of Settlers, be perfected, without the liquidation of all arrears of Rent.

I am finally directed to observe, that their Lordships entirely concur in the opinion expressed by Lord Ripon, that having established the conditions of redemption, "the punctual payment of all unredeemed Quit Rents ought to be rigorously exacted;" and that it will obviously be urgently necessary, in justice to the general interests of the Province, to the service of which the Revenues from this source would be applied; and in order to prevent defaulters from deriving advantages by their irregularity, from which those who duly fulfil their engagements would be precluded, that the collection of these rents should henceforward be strictly enforced.

I am, &c.

(Signed)

A. Y. SPEARMAN.

James Stephen, Esq.,

&c. &c. &c.

London, April 4, 1838.

MY LORD;

I have the honor to acknowledge the receipt of Sir George Grey's letter of the 31st ultimo, inclosing a letter from Mr. Stephen, bearing date the 27th February last, addressed to A. Y. Spearman, Esq., and Mr. Spearman's reply to Mr. Stephen, bearing date the 19th ultimo—all of these referring to the questions lately raised between Her Majesty's Government and the Proprietors of Prince Edward Island, relative to the commutation of the Quit Rent.

As I am compelled, after due consideration, to entertain an opinion different from that expressed by Mr. Spearman, in behalf of the Lords Commissioners of the Treasury, I beg respectfully to convey to your Lordship the points upon which that difference exists, and the grounds of the opinion which I now intend to submit.

Let me state, in the first place, that, from the language of Mr. Spearman's letter, the two grounds before pending, relative to the collection of the sixth year's tax, under the Act of the Island Legislature, and the interest upon the commutation money, are now definitely disposed of. Whatever sum may be paid by the Proprietors, in discharge of this sixth year's tax, is to be treated by the Government as part payment of the commutation money, or of the Quit Rents for the current year; and the claim for interest, on the part of the Government, I understand to be concluded. The proprietors are glad that the sound and equitable views which your Lordship entertained upon these two questions have been thus confirmed by the Lords Commissioners of the Treasury; and they still hope, after they have submitted their views upon the sole remaining question, that their construction of the Earl of Ripon's despatch will be vindicated by a decision in their favour.

Your Lordship is aware, that the Proprietors felt anxious

that this question should be decided by yourself, because they had chiefly urged their claims in the interviews your Lordship did them the honor of granting; and being a question of a wide and comprehensive character, involving points of general policy, they are of opinion, that their views could be more effectually urged by personal than by written communication. It was on this account they sought to be heard by the Lords Commissioners of the Treasury, before any decision unfavourable to them was adopted; and they now trust, that before the opinion expressed by Mr. Spearman be acted upon, or transmitted to the Island, the following written statement of their case, submitted on their behalf for the first time, may receive that favourable consideration from your Lordship, and the Lords Commissioners of the Treasury, to which they conceive it to be entitled.

In raising this question before your Lordship, the Proprietors beg respectfully to state, that they do not conceive they are soliciting the declaration of any new line of policy; it is simply a question of construction of a written tender or contract, made by a former Administration, and which Her Majesty's Ministers have professed their readiness to fulfil. While acknowledging the rights of the Crown to the Quit Rents, as a general principle, and their willingness to submit to these terms, according to their fair and ingenuous interpretation, they feel satisfied that your Lordship will expect that frankness on their parts which induces the firm and earnest advocacy of their rights. I address your Lordship as a Judge, or impartial arbitrator, who is anxious to do justice, and open to sound arguments, if conveyed in respectful and temperate language.

In approaching, then, this question, I extract again that passage of the Earl of Ripon's Despatch referred to in my two previous letters of the 22d January and 2d February last, upon which the settlement of this question depends.

'The arrangement respecting Quit Rents in Prince Edward Island, embodied in the Provincial Statute, 11, Geo. 4, c. 17, must not be disturbed. But so far as is consistent with that agreement, I am desirous to extend to Prince Edward Island a very advantageous arrangement which has lately been offered to the colonists of New Brunswick. The inclosed extract from my Despatch to the Governor of New Brunswick, will explain to you that arrangement; and the following is the manner in which I propose that it should be made applicable to Prince Edward Island:—During the two first years, after the expiration of the five years for which the claim to Quit Rents has been suspended, the Quit Rents should be redeemable at fifteen years' purchase. During the next period of two years, they should be redeemable at eighteen years' purchase. At all subsequent periods, they should be redeemable at twenty years' purchase.'

Had this passage stood alone, and disconnected with any other language, I think your Lordship will agree in the opinion, that the proprietors would have had an unquestionable right to redeem their Quit Rents at any time

within two years after the expiration of the Act in question, for fifteen years' purchase; and at any time within four years, at eighteen years' purchase. The language of the offer is express, clear and unequivocal; no reasoning is required to strengthen its purport and cogency, and the Proprietors, I think, might safely rely upon the construction it affords, which is inevitable to their own minds, without lessening the force of unambiguous language by any inquiry either into other parts of the Despatch, or into views of general policy. They feel it due to your Lordship, however, as well as to themselves, to meet the question on its broadest aspect.

In the present position of Prince Edward Island, relative to a Crown or Territorial Revenue, I do not think it is required of me to argue against the position, that it might have been expedient for the Government, at the time this tender was made, to reserve the rights of the Crown by express words to collect the Quit Rents annually, during the two terms in which the commutation of fifteen and eighteen years are respectively secured to the owners of land. According to my apprehension, these periods were judiciously offered as a bonus to induce the Proprietors to place a large capital, by one payment, under the control of the Government. It is clear, however, that such reservation was not made, and the gentlemen whom I have the honor of representing feel satisfied that your Lordship, or the Lords Commissioners of the Treasury, will not, upon views of mere expediency, permit a binding contract to be disturbed. Your Lordship, besides, will not fail to recollect that, on behalf of the Proprietors and by their authority, I proposed in person to free the question from this embarrassment, and to consent to pay the Rents annually, as had been before done, provided the balance of the stated years of purchase would be accepted at any time within the two limited terms, in full of the commutation money; and I have their authority for renewing this offer in writing. Mr. Stephen does not seem to have been aware of this proposal when he prepared his letter of reference to the Lords of the Treasury. I refer to it as another proof of the anxiety felt by the Proprietors to relieve the Government from any annoyance, and to meet their obligations in a spirit of amicable compliance. If the opposite conclusion be adopted, let me inquire into the consequences which will follow. In the past collection of the Quit Rents in Prince Edward Island, it has been a principle observed, that they should not be exigible by process until the close of the current year—that is to say, that the tenant had the whole of the current year for the payment of their rents, and that they could not be and have not been enforced by Law, until the expiration of the year. Such having been the practice in the past, and such being the practice in this Country relative to the rents of Crown Lands—such being the clear rule of law between landlord and tenant, where no agreement exists to the contrary, it is to be presumed that the same principle would be still adhered to, and that the tenants, after

the expiration of the Island Act, would have had the whole of the then current year for the payment of the first year's Quit Rent. At the close of the first year, one year's rent would, in such case, be exacted and paid; and if in the course of the second year, or at its close, fifteen years' purchase were demanded, it is obvious that the tenant could not redeem his Quit Rent 'during the two first years after the expiration of the five years for which the claim to Quit Rents had been suspended,' at fifteen years' purchase, or in the next two years, at eighteen years' purchase; but in the first two years would be required to pay sixteen years', and in the second period, twenty-one years' purchase. I press it earnestly upon your Lordship's consideration, whether there be any language in the Despatch which can justify this rule to be applied to the owners of the soil, and authorize the exaction of these terms in contradiction to language which is express and direct to the contrary.

It is true, my lord, that the following sentence occurs in the Despatch; and I think it necessary to refer to it, to explain the bearing it presents in my own mind:—

'The claim to Quit Rents will revive retrospectively, as well as prospectively, at the termination of the existing agreement; but following the analogy of the measure adopted for New Brunswick, I am of opinion, that the arrears due up to the time when the plan I have described will come into operation, should be remitted.'

I am anxious, my Lord, to avoid in this argument any refined speculation; but I conceive I should not be liable to this charge if I contended that the word "agreement" might be stated to refer either to the one then founded upon the Act of the Island, or to that then tendered by the Government to the Proprietors, for the immediate or future commutation of their Quit Rents. It will simplify the argument, and confer clearer authority upon the rights of the Crown, if I confine this reference to the first of the two. I waive the reference it might bear to the latter, although this would be more favorable to the argument.

I am bound to confess, my Lord, that I cannot discover in this sentence any thing to control the express language which precedes it. The natural—I would add—the only fair interpretation it bears, is this, that at the expiration of the Act, the rights of the Crown to the Quit Rents would revive, and stand in the same position as if such Act had never existed—as if the Crown had never yielded, for even the prescribed term of five years, the control of the Quit Rents to the local Legislature. It is confined solely, according to my apprehension, to their existence, and does not bear upon the terms of commutation. As regards them, there could be no "retrospective" operation of the claim; because, if the five years' tax were in arrear, they could only be collected under the authority of the Island Act; and at the period in which the Act went into operation, provided the terms were acted upon, all the arrears due to the Crown were remitted. In this view, therefore, the word "retrospectively" can have reference only to

the antecedent legal right, and the word "prospectively" is introduced with the same view, and neither, as I respectfully submit, were intended to, or can now controul the express terms upon which the commutation is before tendered.

As regards the terms of commutation themselves, the Proprietors beg further to state, that they do not consider that the government have made a liberal or advantageous arrangement in the settlement proposed to them. If compelled to commute, at twenty years' purchase, it is equivalent to advancing a capital at an interest of five per cent.; or if the amount claimed by the government were invested in some safe fund, at a return of five per cent. interest, it would afford a sufficient sum to pay the Quit Rents annually. But the rate of interest in Prince Edward Island, and the neighbouring Colonies, is six, and not five per cent.; and I feel bound to state to your Lordship, that no resident Proprietor in the Colony would ever consent to commute on these terms, because he could invest the same capital required by the Government in some eligible security, and derive from it annually a larger sum than the annual liquidation of his Quit Rents would require. By commuting, he would suffer a loss, rather than derive a benefit. He will continue, in preference, to pay the annual tax, if the position in which he is now placed under the Earl of Ripon's Despatch be changed, in the hope that the Quit Rents will be commuted in Prince Edward Island, as in the other Colonies of British North America, and that a sufficient revenue will be derived by a Tax imposed, not upon their lands alone, but upon all property, personal as well as real, according to the policy of the Act in Upper Canada, recommended by your Lordship to the favorable consideration of the Island Legislature. To such a rateable tax upon their lands, equivalent to their Quit Rents, they would raise no objection.

The Proprietors have often before complained that they have been dealt with upon this question with greater severity than the Tenants of the Crown in the other Colonies. At the time in which the 20 years' purchase was demanded from them, they were offered in New Brunswick at 16 years' purchase. Although neither enforced in that Province nor in Nova Scotia—although their collection in both was abandoned from necessity, a rigorous payment has been exacted in Prince Edward Island, and if in arrears, the law has always been resorted to, to compel payment from them, although many of the owners of land in the Island have refused to pay, and have escaped from payment. By many of the Proprietors, although the owners of large Estates, and in possession of heavy rent rolls upon paper, these Quit Rents have been paid out of their British funds. Whatever may be the cause which dictated the policy above referred to in the past, they feel that there is no reason to justify any severe rule at the present time. At the suggestion of Sir John Harvey and the present Lieutenant Governor, they have yielded to every reasonable demand made upon them in behalf of their tenantry; they

have removed every ground of, or pretence for, complaint; and have actually, and of their own accord, offered to sell their lands upon more liberal terms than if they remained under the controul of the government. And although upon this account they do not pretend to claim any mark of especial favor, they feel assured your Lordship will not be inclined to reject the plain and fair construction of Lord Ripon's Despatch, because such construction may have a favorable bearing upon their interests. They have acted upon the contract tendered in this Despatch up to the present time. The first five years' tax has been paid; the sixth year's tax is in the course of collection. They waived, as they conceive, their clear rights under this contract in consenting to pay this tax at an earlier period than the language of the contract required; and after the explanation they have now afforded of the sound and just construction of the Despatch in question, they trust your Lordship, and the Lords Commissioners of the Treasury, will permit them, in the course of the next year—they having already consented to pay the tax for the present year—to commute for fourteen years' purchase, as it is now open to them to commute for fifteen years' purchase. In both cases, the fifteen years' purchase will be paid; and this, together with the five years' tax paid under the Island Act, will make up the twenty years' purchase—the highest rate at which they were first proposed to be commuted. They claim this as a right, founded upon clear and express language; and they have every confidence that your Lordship will exercise upon the question your sound prerogative as a Judge, and extend to them that justice which they claim from your Lordship's hands with greater confidence, at present, than in any preceding period.

I have, &c.

(Signed)

GEO. R. YOUNG,

Solicitor & Counsel.

The Right Honorable the Lord Glenelg.

DOWNING STREET,

23d April, 1838.

SIR;

I am directed by Lord Glenelg to transmit to you herewith the inclosed letter from Mr. G. R. Young [4th April], controverting the view taken in your letter of the 19th ultimo, in regard to the interpretation of the terms offered by the Earl of Ripon, in 1833, for the commutation of Quit Rents in Prince Edward Island. I am to request

3*

that you will lay this communication before the Lords Commissioners of the Treasury, and move their Lordships to inform Lord Glenelg whether they see anything in the arguments advanced by Mr. Young to alter the opinion which they have already expressed on the subject.

I have, &c.

(Signed)

JAS. STEPHEN.

A. Y. Spearman, Esq. &c. &c. &c.

DOWNING STREET,

24th April, 1838.

SIR;

I am directed by Lord Glenelg to inform you, that he has referred, for the consideration of the Lords Commissioners of the Treasury, your letter of the 4th instant, controverting the views adopted by their Lordships, in regard to the interpretation of the offer made by Lord Ripon, in 1833, for the commutation of Quit Rents in Prince Edward Island.

I have, &c.

(Signed)

GEORGE GREY.

G. R. Young, Esq.

TREASURY CHAMBERS,

23d July, 1838.

SIR;

The Lords Commissioners of Her Majesty's Treasury having had under their consideration the representation from Mr. Young (herewith returned), on behalf of the proprietors of lands subject to Quit Rent in Prince Edward Island, transmitted with your letter of the 23d April last, I am commanded by their Lordships to request you will acquaint Lord Glenelg that they have not seen any sufficient grounds for altering the views in regard to the terms on which those Rents are redeemable, which were stated in the letter from this Board, of the 19th March last, or for assenting to Mr. Young's proposition—the adoption of which, it appears to their Lordships, would operate as a premium to the Proprietors, at the expence of the Provincial Revenues, to defer the redemption of their Rents to the close of the respective periods specified in the Earl of Ripon's Despatch of the 27th January, 1833, instead of holding out an inducement to effect the same without delay.

I am, &c.

(Signed)

A. Y. SPEARMAN.

Jas. Stephen, Esq.

APPENDIX

(G.)

[SEE PAGE 74.]

PORT OF PRINCE EDWARD ISLAND.

An Account of the number of Vessels launched and registered at this Port in the year ended 31st December, 1838.

| NAMES OF VESSELS. | OWNERS' NAMES. | TONS. |
|----------------------------|---------------------------------|-------|
| Brothers - - - | Messrs. Callbeck - - - | 43 |
| Agenora - - - | Messrs. Wood - - - | 66 |
| Elizabeth - - - | James Harding - - - | 76 |
| Margaret - - - | Messrs. Hannah - - - | 26 |
| Nightingale - - - | Messrs. Matthewson - - - | 75 |
| Fanny - - - | Thomas B. Tremain - - - | 98 |
| Dispatch - - - | Messrs. Simpson - - - | 76 |
| Neptune - - - | Messrs. M'Donald - - - | 103 |
| Helen - - - | James Morrison - - - | 139 |
| Angler - - - | Messrs. M'Gregor & Co. - - - | 45 |
| Duck - - - | Joseph & Samuel Robinson - - - | 28 |
| Charles - - - | Charles Worrell - - - | 227 |
| Vestal - - - | Messrs. Longworth - - - | 177 |
| Hornet - - - | Andrew Duncan - - - | 158 |
| British Union - - - | Messrs. Joseph Pope & Co. - - - | 189 |
| Irvin - - - | Joseph Cunard - - - | 449 |
| Messenger - - - | Donald M'Phail - - - | 17 |
| Sir Charles Fitz Roy - - - | Joseph Cunard - - - | 185 |
| Marys - - - | James Morrison - - - | 183 |
| Catherine - - - | James Morrison - - - | 177 |
| Ono - - - | James Peake - - - | 182 |
| Ann - - - | Richard Pearce - - - | 150 |
| Wave - - - | Messrs. Sanderson - - - | 128 |
| Charles - - - | James Peake - - - | 171 |
| Alarm - - - | Andrew Duncan - - - | 202 |
| Thetis - - - | William Nichols - - - | 157 |
| John Weavel - - - | Andrew Duncan - - - | 202 |
| Margaret Jane - - - | John Morrow - - - | 140 |
| Falcon - - - | Joseph Dingwell - - - | 146 |
| Wave - - - | W. Rugsby & Co. - - - | 158 |
| Isabella Ellen - - - | Walter Burke - - - | 145 |
| Raven - - - | Andrew Duncan - - - | 200 |
| Nancy - - - | Horatio Webster - - - | 149 |
| Mary Jane - - - | Messrs. Deagle - - - | 137 |
| Elizabeth Ann - - - | Daniel Burke - - - | 117 |
| Minerva - - - | Benjamin Webster - - - | 129 |
| Margaret Elizabeth - - - | William M'Kie - - - | 154 |
| Ellen and Ann - - - | Messrs. Burke - - - | 155 |
| Midas - - - | Samuel Nelson - - - | 139 |

| NAMES OF VESSELS. | OWNERS' NAMES. | TONS. |
|------------------------------------|------------------------------|-------------|
| Mary - - - | William White - - | 132 |
| Elizabeth - - - | John Davis - - - | 107 |
| Aurelian - - - | James Peake - - - | 580 |
| Atalanta - - - | Robert & Francis Longworth - | 179 |
| Bethel - - - | William Marshall - - | 386 |
| Portree - - - | Alexander M'Lean - - | 139 |
| Collina - - - | Lemuel Cambridge - - | 162 |
| Custom House, 31st December, 1838. | | Total, 7102 |
| G. R. GOODMAN, Collector. | | |

PORT OF PRINCE EDWARD ISLAND.

An Account of Vessels for which Certificates have been granted at this Port, previous to their being registered, in the year ended 31st December, 1838.

| NAMES OF VESSELS. | OWNERS' NAMES. | TONS. |
|---------------------|--------------------|-------|
| Lady Mary Fitz Roy. | Thomas B. Chanter. | 357 |
| Syren. | Daniel Davies. | 172 |
| Total, | | 529 |

Custom House, 31st December, 1838.

G. R. GOODMAN, Collector.

PORT OF PRINCE EDWARD ISLAND.

An Account shewing the number of Vessels and the amount of Tonnage employed in the Foreign and Coasting Trade, in the year ended 31st December, 1838.

| FOREIGN TRADE. | | | COASTING TRADE. | | |
|----------------|-------|------|-----------------|-------|------|
| No. | Tons. | Men. | No. | Tons. | Men. |
| 28 | 6050 | 240 | 178 | 7581 | 423 |

14 Fishing Passes were granted in the year 1838.

Custom House, 5th January, 1839.

G. R. GOODMAN, Collector.

PORT OF PRINCE EDWARD ISLAND.

An Account shewing the number of Vessels and amount of Tonnage transferred from this Island to other Ports, during the year ended 5th January, 1839.

| NUMBER OF VESSELS. | TONS. |
|--------------------|-------|
| 21 | 4405 |

Custom House, 5th January, 1839.

G. R. GOODMAN, Collector.

PRINCE EDWARD ISLAND.

A detailed Account of Duties collected at this Port under Acts passed by the Imperial Parliament, subsequent to 18th Geo. 3rd, in the year 1838.

| | £ | s. | d. | | £ | s. | d. |
|--------------|---|-----|----|----|------------------|------|---------|
| Wine, | - | 53 | 13 | 11 | Chairs, | - | 0 4 6 |
| Geneva, | - | 51 | 8 | 1 | Indigo, | - | 0 8 5 |
| Brandy, | - | 88 | 8 | 2 | Stoves, | - | 8 7 3 |
| Bottles, | - | 1 | 4 | 4 | Wearing Apparel, | - | 3 8 9 |
| Cordials, | - | 0 | 14 | 5 | Lime Juice, | - | 0 7 6 |
| Coffee, | - | 3 | 2 | 11 | Leather, | - | 1 4 0 |
| Molasses, | - | 88 | 1 | 3 | Oakum, | - | 1 16 0 |
| Paper, | - | 4 | 3 | 8 | Pimento, | - | 0 5 1 |
| Sugar, | - | 187 | 2 | 2 | Pitch and Tar, | - | 1 12 6 |
| Tobacco, | - | 42 | 10 | 4 | Beds, | - | 0 7 1½ |
| Types, | - | 3 | 11 | 6 | Cottons, | - | 2 0 0 |
| Hardware, | - | 3 | 2 | 9 | Rum, | - | 12 8 10 |
| Flour, | - | 7 | 10 | 0 | Tea, | - | 2 18 0 |
| Pork, | - | 4 | 8 | 4 | Raisins, | - | 0 2 0 |
| Chain Cable, | - | 1 | 9 | 9 | Seeds, | - | 0 12 1 |
| Iron, | - | 1 | 11 | 5 | | | |
| Shoes, | - | 2 | 10 | 3 | | | |
| | | | | | Total, | £580 | 15 3½ |

Custom House, 5th January, 1839.

G. R. GOODMAN, Collector.

PRINCE EDWARD ISLAND.

AN ACCOUNT OF GOODS IMPORTED IN THE YEAR ENDED 5th JANUARY, 1839.

| ARTICLES IMPORTED. | Great Britain. | | British West Indies. | | British North American Colonies. | | Foreign Countries. | | TOTAL. | |
|--------------------|----------------|-------|----------------------|-------|----------------------------------|-------|--------------------|-------|--------|-------|
| | £ | s. d. | £ | s. d. | £ | s. d. | £ | s. d. | £ | s. d. |
| BRANDY, | 100 | 1 7 | . | . | 338 | 15 8 | . | . | 438 | 17 3 |
| CORDAGE, | 1718 | 11 1 | . | . | 1196 | 17 4 | . | . | 2915 | 8 5 |
| DRY GOODS, | 6591 | 1 0 | . | . | 25274 | 13 6 | . | . | 31865 | 14 6 |
| NAILS, | 698 | 16 7 | . | . | 1263 | 12 0 | . | . | 1933 | 8 7 |
| SALT, | 291 | 8 3 | . | . | 1190 | 3 1 | . | . | 1471 | 11 4 |
| SOAP, | 138 | 8 4 | . | . | 613 | 9 4½ | . | . | 751 | 17 8½ |
| IRON, | 1465 | 17 8 | . | . | 1214 | 16 7½ | . | . | 2680 | 14 3½ |
| TEA, | 281 | 18 1 | . | . | 6332 | 16 6 | . | . | 6614 | 17 0 |
| STATIONERY, | 16 | 7 11 | . | . | 215 | 0 6 | . | . | 231 | 8 5 |
| SUGAR, | 298 | 6 11 | 117 | 0 0 | 2269 | 10 1 | . | . | 2414 | 17 0 |
| RUM, | . | . | . | . | 7299 | 10 1 | . | . | 7299 | 10 1 |
| TOBACCO, | . | . | . | . | 1768 | 3 9 | . | . | 1768 | 3 9 |
| MOLASSES, | . | . | 59 | 0 0 | 2092 | 2 6 | . | . | 2151 | 2 6 |
| WINE, | 9 | 10 0 | . | . | 783 | 0 1 | . | . | 792 | 10 1 |
| SUNDRIES, | 8797 | 13 1½ | 158 | 5 9 | 22254 | 9 11½ | 7 | 6 8 | 31217 | 15 6½ |
| TOTAL, | £20099 | 0 6½ | 334 | 5 9 | 74106 | 18 1½ | 7 | 6 8 | 94547 | 11 0½ |

Custom House, 5th January, 1839.

G. R. GOODMAN, Collector.

PRINCE EDWARD ISLAND.

AN ACCOUNT OF GOODS EXPORTED IN THE YEAR ENDED 5th JANUARY, 1839.

| ARTICLES EXPORTED. | | Great Britain. | | Ireland. | | British West Indies. | | British North American Colonies. | | Foreign Countries. | | TOTAL. | |
|--------------------|--|----------------|-------|----------|-------|----------------------|-------|----------------------------------|--------------------|--------------------|-------|--------|--------------------|
| | | £ | s. d. | £ | s. d. | £ | s. d. | £ | s. d. | £ | s. d. | £ | s. d. |
| OATS, | 155783 bushels, | . | . | . | . | 53 | 3 4 | 11048 | 0 3 $\frac{3}{4}$ | . | . | 11091 | 3 7 $\frac{3}{4}$ |
| BARLEY, | 23601 $\frac{1}{2}$ bushels, | . | . | . | . | 22 | 10 0 | 4014 | 0 6 | . | . | 4036 | 10 6 |
| WHEAT, | 270 bushels, | . | . | . | . | 8 | 0 0 | 71 | 4 0 | . | . | 79 | 4 0 |
| FLOUR, | 344 barrels, 3 tons, 10 cwt. 1 qr. 21 lbs. | . | . | . | . | 5 | 0 0 | 727 | 17 0 | . | . | 732 | 17 0 |
| OATMEAL, | 2230 barrels, 30 tons, 6 cwt. 3 qrs. 3523 lbs., 51 bags, | . | . | . | . | 1 | 10 0 | 4612 | 6 0 | . | . | 4613 | 16 0 |
| BEEF, | 186 barrels, 3200 lbs. | . | . | . | . | 9 | 0 0 | 746 | 8 8 | . | . | 755 | 8 8 |
| PORK, | 355 barrels, 3200 lbs. | . | . | . | . | 25 | 0 0 | 1593 | 4 0 | . | . | 1618 | 4 0 |
| FISH, (dry.) | 3805 quintals and 4 boxes, | . | . | . | . | 24 | 0 0 | 2816 | 10 0 | . | . | 2840 | 10 0 |
| FISH, (pickled.) | 1482 barrels, | . | . | . | . | 4 | 10 0 | 1440 | 0 0 | . | . | 1444 | 10 0 |
| TIMBER, | 6133 tons, | 5287 | 5 5 | 334 | 14 9 | . | . | 70 | 10 0 | . | . | 5792 | 10 2 |
| LATHWOOD, | 275 cords, | 221 | 10 6 | 52 | 16 3 | . | . | . | . | . | . | 274 | 6 9 |
| SPARS, | 241, | 39 | 0 6 | 1 | 1 0 | . | . | 66 | 6 9 | . | . | 107 | 0 6 |
| STAVES, | 14 M. | . | . | . | . | . | . | 40 | 0 0 | . | . | 40 | 0 0 |
| SCANTLING, | 224 tons, 40,000 feet 180 pieces, | . | . | . | . | . | . | 186 | 5 0 | . | . | 186 | 5 0 |
| Boards & PLANK, | 4,895,086 feet, | 3135 | 11 8 | 2290 | 10 0 | . | . | 2176 | 0 0 | . | . | 7602 | 1 8 |
| SHINGLES, | 1099 M. | . | . | . | . | . | . | 556 | 11 2 | . | . | 556 | 11 2 |
| CATTLE, | 401 head, | . | . | . | . | . | . | 2877 | 0 0 | 122 | 0 0 | 2999 | 0 0 |
| Hogs, | 75, | . | . | . | . | . | . | 70 | 0 0 | . | . | 70 | 0 0 |
| SHEEP, | 387 head, | . | . | . | . | . | . | 308 | 16 6 | 7 | 10 0 | 316 | 6 6 |
| TURNIPS, | 6241 bushels, 41 $\frac{1}{2}$ barrels, | . | . | . | . | . | . | 469 | 10 6 | . | . | 469 | 10 6 |
| POTATOES, | 167,596 bushels, | . | . | . | . | 29 | 3 4 | 10429 | 11 6 | 582 | 5 0 | 11040 | 19 10 |
| SUNDRIES, | - | 112 | 19 9 | 202 | 19 0 | 51 | 19 0 | 5514 | 8 3 $\frac{3}{4}$ | 61 | 10 0 | 5882 | 6 0 $\frac{3}{4}$ |
| Total, | | £ 8796 | 7 10 | 2882 | 0 9 | 233 | 15 8 | 47824 | 10 1 $\frac{3}{4}$ | 773 | 5 0 | 62419 | 1 11 $\frac{1}{2}$ |

Custom House, 5th January, 1839.

G. R. GOODMAN, Collector.

PORT OF CHARLOTTETOWN, PRINCE EDWARD ISLAND.

AN ACCOUNT OF GOODS IMPORTED IN THE YEAR ENDED 5th JANUARY, 1839.

| ARTICLES IMPORTED. | | Great Britain. | | British West Indies. | | British North American Colonies. | | Foreign Countries. | | TOTAL. | |
|--------------------|---|----------------|-------|----------------------|-------|----------------------------------|-------|--------------------|-------|--------|-------|
| | | £ | s. d. | £ | s. d. | £ | s. d. | £ | s. d. | £ | s. d. |
| BRANDY, | 1341 4-5 gallons, | 97 | 16 7 | . | . | 258 | 3 8 | . | . | 356 | 0 3 |
| CORDAGE, | 700½ coils, | 1402 | 17 3 | . | . | 607 | 0 7 | . | . | 2009 | 17 10 |
| DRY GOODS, | 690 packages, | 6029 | 4 0 | . | . | 20546 | 10 1 | . | . | 26575 | 14 1 |
| NAILS, | 611 bags and kegs, | 577 | 5 11 | . | . | 967 | 7 9 | . | . | 1544 | 13 8 |
| SALT, | 390 tons, 10,432 bushels, and 1 hhds. | 281 | 8 3 | . | . | 807 | 18 0 | . | . | 1089 | 6 3 |
| SOAP, | 514 boxes, | 127 | 12 4 | . | . | 518 | 6 7 | . | . | 645 | 18 11 |
| IRON, | 549 tons, 4129 bars, 138 bundles, and 27 cwt. | 1131 | 17 8 | . | . | 702 | 18 7 | . | . | 1834 | 16 3 |
| TEA, | 565 chests, 96 boxes, | 281 | 18 1 | . | . | 5141 | 5 1 | . | . | 5423 | 3 2 |
| STATIONERY, | 14 boxes, 7 cases, | . | . | 117 | 0 0 | 206 | 14 3 | . | . | 206 | 14 3 |
| SUGAR, | 87 hhds, 142 barrels, 16 boxes and 1 cwt. | . | . | . | . | 2030 | 10 11 | . | . | 2147 | 10 11 |
| RUM, | 28,857 gallons, | . | . | . | . | 5478 | 6 4 | . | . | 5478 | 6 4 |
| TOBACCO, | 210 kegs, | . | . | . | . | 1306 | 13 9 | . | . | 1306 | 13 9 |
| MOLASSES, | 12560 gallons, | . | . | 59 | 0 0 | 1528 | 1 5 | . | . | 1587 | 1 5 |
| WINE, | 2479 gallons, | 9 | 10 0 | . | . | 610 | 3 0 | . | . | 619 | 13 0 |
| SUNDRIES, | - | 7193 | 2 6 | 158 | 5 9 | 17655 | 7 11½ | 7 | 6 8 | 25014 | 3 10 |
| | TOTAL, | £ 17132 | 12 7 | 334 | 5 9 | 58372 | 11 4½ | 7 | 6 8 | 75846 | 17 4½ |

Custom House, 5th January, 1839.

G. R. GOODMAN, Collector

PORT OF CHARLOTTETOWN, PRINCE EDWARD ISLAND.

AN ACCOUNT OF GOODS EXPORTED IN THE YEAR ENDED 5th JANUARY, 1839.

| ARTICLES EXPORTED. | | Great Britain. | | Ireland. | | British West Indies. | | British North American Colonies. | | Foreign Countries. | | TOTAL. British Sterling. | |
|--------------------|---------------------------|----------------|------|----------|------|----------------------|----|----------------------------------|----|--------------------|-----|--------------------------|----|
| | | £ | s. | d. | £ | s. | d. | £ | s. | £ | s. | £ | s. |
| OATS, | 62,311½ bushels, | - | - | - | 53 | 3 | 4 | 5138 | 10 | 2 | - | 5191 | 13 |
| BARLEY, | 9320½ do. | - | - | - | 22 | 10 | 0 | 1862 | 13 | 0 | - | 1885 | 3 |
| WHEAT, | 36 do. | - | - | - | 8 | 0 | 0 | 2 | 10 | 0 | - | 10 | 10 |
| FLOUR, | 142 barrels, | - | - | - | 5 | 0 | 0 | 293 | 10 | 0 | - | 298 | 10 |
| OATMEAL, | 1534 do. | - | - | - | 1 | 10 | 0 | 2840 | 0 | 0 | - | 2841 | 10 |
| BEEF, | 115 do. | - | - | - | 9 | 0 | 0 | 495 | 0 | 0 | - | 504 | 0 |
| PORK, | 231½ do. | - | - | - | 25 | 0 | 0 | 1045 | 0 | 0 | - | 1070 | 0 |
| Fish, (dry.) | 165 quintals and 4 boxes, | - | - | - | 24 | 0 | 0 | 98 | 10 | 0 | - | 122 | 10 |
| Fish, (pickled.) | 247 barrels, | - | - | - | 4 | 10 | 0 | 233 | 10 | 0 | - | 238 | 10 |
| TIMBER, | 2889 tons, | 207 | 13 | 9 | - | - | - | 28 | 0 | 0 | - | 2433 | 18 |
| LATHWOOD, | 164½ cords, | 106 | 4 | 0 | 52 | 16 | 3 | - | - | - | - | 159 | 3 |
| SPARS, | 123, | 11 | 14 | 0 | 1 | 1 | 0 | - | - | - | - | 26 | 5 |
| STAVES, | 2 M. | - | - | - | - | - | - | 13 | 10 | 0 | - | 6 | 0 |
| SCANTLING, | 75 tons, 180 pieces, | - | - | - | - | - | - | 6 | 0 | 0 | - | 95 | 0 |
| BOARDS & PLANK, | 796,677 feet, | - | - | - | - | - | - | 95 | 0 | 0 | - | 4630 | 3 |
| SHINGLES, | 316 M. | 1395 | 13 | 8 | 2290 | 10 | 0 | 944 | 0 | 0 | - | 212 | 0 |
| CATTLE, | 213 head, | - | - | - | - | - | - | 212 | 0 | 0 | - | 1422 | 0 |
| SHEEP, | 156 do. | - | - | - | - | - | - | 1300 | 0 | 0 | 122 | 154 | 10 |
| Hogs, | 5, | - | - | - | - | - | - | 147 | 0 | 0 | 7 | 5 | 0 |
| TURNIPS, | 5162 bushels, | - | - | - | - | - | - | 386 | 0 | 6 | - | 386 | 0 |
| POTATOES, | 114,698 do. | - | - | - | - | - | - | 7029 | 10 | 8 | 582 | 7640 | 19 |
| SUNDRIES, | - | 97 | 4 | 9 | 202 | 19 | 0 | 2966 | 14 | 9 | 61 | 3380 | 7 |
| TOTAL, | | £ | 3682 | 0 | 2882 | 1 | 0 | 25141 | 19 | 1 | 773 | 32713 | 0 |
| | | | | | | | | | | | | | 11 |

Custom House, 5th January, 1839.

G. R. GOODMAN, Collector.

BEDEQUE, OUT PORT OF PRINCE EDWARD ISLAND.

AN ACCOUNT OF GOODS IMPORTED IN THE YEAR ENDED 5th JANUARY, 1839.

| ARTICLES IMPORTED. | | Great Britain. | | British West Indies. | | British North American Colonies. | | Foreign Countries. | | TOTAL. | |
|--------------------|--|----------------|-------|----------------------|-------|----------------------------------|-------|--------------------|-------|--------|--------|
| | | £ | s. d. | £ | s. d. | £ | s. d. | £ | s. d. | £ | s. d. |
| BRANDY, | 12 gallons, | 2 | 5 0 | . | . | 1 | 6 6 | . | . | 3 | 11 6 |
| CORDAGE, | 9 coils and 89 cwt, 1 qr. 19 lbs. | 183 | 13 10 | . | . | 8 | 10 11 | . | . | 192 | 4 9 |
| DRY GOODS, | 26 bales, 16 cases, 1 cask and 3 packages, | 256 | 17 0 | . | . | 1036 | 18 2 | . | . | 1293 | 15 2 |
| FLOUR & MEAL, | 11 barrels, | . | . | . | . | 17 | 1 3 | . | . | 17 | 1 3 |
| HARDWARE, | 60 packages, | 156 | 7 3 | . | . | 281 | 8 7½ | . | . | 437 | 15 10½ |
| IRON, | 13 tons, 7 cwt. 3 qrs. 9 lbs. and 26 bars, | 84 | 0 0 | . | . | 97 | 14 4½ | . | . | 181 | 14 4½ |
| NAILS, | 22 kegs, 8 bags, 35 cwt. and 889 lbs. | 64 | 11 9 | . | . | 102 | 19 4 | . | . | 167 | 11 1 |
| MOLASSES, | 9 puncheons, 1 barrel and 25 gallons, | . | . | . | . | 103 | 2 5 | . | . | 103 | 2 5 |
| SAIL CLOTH, | 14 packages, 2 bolts and 43 yards, | 136 | 1 6 | . | . | 1 | 15 6 | . | . | 137 | 17 0 |
| STATIONERY, | 1 box and 2 parcels, | 11 | 7 11 | . | . | 8 | 6 3 | . | . | 19 | 14 2 |
| SOAP, | 12 boxes, | 10 | 16 0 | . | . | 10 | 0 0 | . | . | 20 | 16 0 |
| SALT, | 1599 bushels, | . | . | . | . | 80 | 0 0 | . | . | 80 | 0 0 |
| SUGAR, | 1 hoghead, 13 barrels, 1 box and 1 cwt. | . | . | . | . | 82 | 14 4 | . | . | 82 | 14 4 |
| RUM, | 10 puncheons and 345 gallons, | . | . | . | . | 363 | 0 0 | . | . | 363 | 0 0 |
| TEA, | 21 chests and 4 boxes, | . | . | . | . | 205 | 17 6 | . | . | 205 | 17 6 |
| TOBACCO, | 8 kegs, 1 package, and 321 lbs. | 422 | 14 5½ | . | . | 75 | 4 0 | . | . | 75 | 4 0 |
| SUNDRIES, | - | 1328 | 14 8½ | . | . | 3236 | 4 5 | . | . | 4564 | 19 1½ |
| TOTAL, | | £ | | | | | | | | | |

Custom House, Bedeque, January 7th, 1839.

JOSEPH POPE, Sub-Collector.

BEDEQUE, OUT PORT OF PRINCE EDWARD ISLAND.

AN ACCOUNT OF GOODS EXPORTED IN THE YEAR ENDED 5th JANUARY, 1839.

| ARTICLES EXPORTED. | Great Britain. | | British West Indies. | | British North American Colonies. | | Foreign Countries. | | TOTAL. | |
|--|----------------|---------|----------------------|-------|----------------------------------|-------|--------------------|-------|--------|-------|
| | £ | s. d. | £ | s. d. | £ | s. d. | £ | s. d. | £ | s. d. |
| OATS, | - | - | - | - | 2893 | 9 0 | - | - | 2893 | 9 0 |
| BARLEY, | - | - | - | - | 823 | 14 6 | - | - | 823 | 14 6 |
| PEARLED BARLEY, 4 barrels and 420 lbs. | - | - | - | - | 9 | 2 5 | - | - | 9 | 2 5 |
| WHEAT, | - | - | - | - | 13 | 10 0 | - | - | 13 | 10 0 |
| FLOUR, | - | - | - | - | 231 | 15 6 | - | - | 231 | 15 6 |
| OATMEAL, | - | - | - | - | 400 | 16 0 | - | - | 400 | 16 0 |
| BEEF, | - | - | - | - | 77 | 2 0 | - | - | 77 | 2 0 |
| PORK, | - | - | - | - | 75 | 0 0 | - | - | 75 | 0 0 |
| PICKLED FISH, | - | - | - | - | 497 | 0 0 | - | - | 497 | 0 0 |
| TIMBER, | - | - | - | - | - | - | - | - | - | - |
| LATHWOOD, | - | - | - | - | 306 | 0 2 | - | - | 306 | 0 2 |
| SPARS, | - | - | - | - | 12 | 4 6 | - | - | 12 | 4 6 |
| STAVES, | - | - | - | - | 2 | 6 6 | - | - | 2 | 6 6 |
| BOARDS & PLANK, 130,092 feet, superficial, | - | - | - | - | - | - | - | - | - | - |
| SHINGLES, | - | - | - | - | 81 | 18 0 | - | - | 81 | 18 0 |
| CATTLE & HORSES, 78 head, | - | - | - | - | 20 | 0 0 | - | - | 20 | 0 0 |
| SHEEP, | - | - | - | - | 203 | 5 0 | - | - | 203 | 5 0 |
| HOGS, | - | - | - | - | 10 | 1 8 | - | - | 10 | 1 8 |
| TURNIPS, | - | - | - | - | 565 | 0 0 | - | - | 565 | 0 0 |
| POTATOES, | - | - | - | - | 34 | 8 6 | - | - | 34 | 8 6 |
| OYSTERS, | - | - | - | - | 17 | 0 0 | - | - | 17 | 0 0 |
| SUNDRIES, | - | - | - | - | 47 | 0 0 | - | - | 47 | 0 0 |
| - | - | - | - | - | 1115 | 1 7 | - | - | 1115 | 1 7 |
| - | - | - | - | - | 116 | 15 0 | - | - | 116 | 15 0 |
| - | - | - | - | - | 142 | 6 6 | - | - | 142 | 6 6 |
| TOTAL, | £ | 402 9 2 | - | - | 7292 | 7 8 | - | - | 7694 | 16 10 |

Custom House, Bedeque, January 7th, 1839.

JOSEPH POPE, Sub-Collector.

RICHMOND BAY, OUT PORT OF PRINCE EDWARD ISLAND.

AN ACCOUNT OF GOODS IMPORTED IN THE YEAR ENDED 5th JANUARY, 1839.

| ARTICLES IMPORTED. | | Great Britain. | | British West Indies. | | British North American Colonies. | | Foreign Countries. | | TOTAL. | |
|--------------------|---|----------------|------------|----------------------|-------|----------------------------------|-------|--------------------|-------|--------|-------|
| | | £ | s. d. | £ | d. s. | £ | s. d. | £ | s. d. | £ | s. d. |
| BRANDY, | 10 gallons, | | | | | 5 | 0 0 | | | 5 | 0 0 |
| CORDAGE, | 14 tons, 15 cwt. 3 qrs. 10 lbs. and 30 coils, | 480 | 15 10 | | | 142 | 0 0 | | | 622 | 15 10 |
| DRY GOODS, | 34 bales, 54 boxes, 11 parcels, 4 hhds. 3 bls. & 6 trusses, | 962 | 8 11 | | | 2748 | 1 5 | | | 3710 | 10 4 |
| NAILS, | 74 kegs and 14 bags, | 65 | 0 0 | | | 295 | 15 5 | | | 360 | 15 5 |
| MOLASSES, | 11 puncheons and 2 kegs, | | | | | 163 | 0 0 | | | 163 | 0 0 |
| SAIL CLOTH, | 59 bolts, | 8 | 0 0 | | | 210 | 5 0 | | | 218 | 5 0 |
| SALT, | 9583 bushels, and 150 tons, | 209 | 10 0 | | | 306 | 1 0 | | | 515 | 11 0 |
| STATIONERY, | 1 ream Paper, | | | | | 1 | 5 0 | | | 1 | 5 0 |
| SOAP, | 19 boxes, | | | | | 24 | 10 0 | | | 24 | 10 0 |
| SUGAR, | 26 barrels and 2 cwt. | | | | | 140 | 17 6 | | | 140 | 17 6 |
| RUM, | 25 puncheons, | | | | | 621 | 0 0 | | | 621 | 0 0 |
| TEA, | 63 chests and 110 pounds, | | | | | 746 | 10 0 | | | 746 | 10 0 |
| TOBACCO, | 36½ kegs, 1 parcel and 288 pounds, | | | | | 321 | 2 6 | | | 321 | 2 6 |
| IRON, | 45 tons, 16 cwt. 1 qr. 26 lbs. and 432 bars, | 428 | 3 0 | | | 200 | 0 11 | | | 628 | 3 11 |
| SUNDRIES, | - | 812 | 16 2 | | | 2129 | 9 7 | | | 2942 | 5 9 |
| TOTAL, | | £ | 2966 13 11 | | | 8054 | 18 4 | | | 11021 | 12 3 |

Custom House, 5th January, 1839.

CHARLES MACNUTT, Sub-Collector.

ⓘ The above Account not having been transmitted at the time the General Account was made out, the same is not included in the aggregate account of Imports for the whole Island.

RICHMOND BAY, OUT PORT OF PRINCE EDWARD ISLAND.

AN ACCOUNT OF GOODS EXPORTED IN THE YEAR ENDED 5th JANUARY, 1839.

| ARTICLES EXPORTED. | | Great Britain. | | British West Indies. | | British North American Colonies. | | Foreign Countries. | | TOTAL. British Sterling. | |
|--------------------|--|----------------|----------|----------------------|-------|----------------------------------|-------|--------------------|-------|-----------------------------|-------|
| | | £ | s. d. | £ | s. d. | £ | s. d. | £ | s. d. | £ | s. d. |
| OATS, | 34,923½ bushels, | - | - | - | - | 3139 | 0 8 | - | - | 3139 | 0 8 |
| BARLEY, | 2625 do. | - | - | - | - | 450 | 7 0 | - | - | 450 | 7 0 |
| WHEAT, | 151 do. | - | - | - | - | 45 | 12 0 | - | - | 45 | 12 0 |
| PEARLED BARLEY, | 2 tons, 16 cwt. 137 bls. 37 boxes and 2 bags, | - | - | - | - | 372 | 6 0 | - | - | 372 | 6 0 |
| FLOUR, | 3 tons, 10 cwt. 1 qr. 2 lbs. and 45 bls. | - | - | - | - | 139 | 0 0 | - | - | 139 | 0 0 |
| OATMEAL, | 36 tons, 6 cwt. 3 qrs. 23 lbs. 399 bls. and 51 bags, | - | - | - | - | 1183 | 10 0 | - | - | 1183 | 10 0 |
| BEEF, | 3200 lbs. and 42 bls. | - | - | - | - | 179 | 6 8 | - | - | 179 | 6 8 |
| PORK, | 3200 lbs. and 54½ bls. | - | - | - | - | 352 | 0 0 | - | - | 352 | 0 0 |
| Dry & Green Fish, | 1232 quintals, | - | - | - | - | 1214 | 12 0 | - | - | 1214 | 12 0 |
| PICKLED FISH, | 259 bls. | - | - | - | - | 235 | 15 0 | - | - | 235 | 15 0 |
| TIMBER, | 1448 tons, | 1067 | 10 0 | - | - | - | - | - | - | 1067 | 10 0 |
| LATHWOOD, | 43½ cords, | 40 | 10 0 | - | - | - | - | - | - | 40 | 10 0 |
| SPARS, | 12, | 5 | 0 0 | - | - | - | - | - | - | 5 | 0 0 |
| STAVES, | 7000, | - | - | - | - | 14 | 0 0 | - | - | 14 | 0 0 |
| BOARDS & PLANK, | 1146 planks, | 118 | 0 0 | - | - | - | - | - | - | 118 | 0 0 |
| CATTLE, | 133 head, | - | - | - | - | 902 | 0 0 | - | - | 902 | 0 0 |
| SHEEP, | 148, | - | - | - | - | 111 | 0 0 | - | - | 111 | 0 0 |
| PIGS, | 58, | - | - | - | - | 48 | 0 0 | - | - | 48 | 0 0 |
| TURNIPS, | 121 bushels, | - | - | - | - | 18 | 10 0 | - | - | 18 | 10 0 |
| POTATOES, | 9063 do. | - | - | - | - | 691 | 0 6 | - | - | 691 | 0 6 |
| SUNDRIES, | - | - | - | - | - | 1055 | 15 10 | - | - | 1055 | 15 10 |
| TOTAL, | | £ | 1244 0 0 | - | - | 10151 | 15 8 | - | - | 11395 | 15 8 |

Custom House, 5th January, 1839.

CHARLES MACNUTT, Sub-Collector.

COLVILLE BAY, OUT PORT OF PRINCE EDWARD ISLAND.

AN ACCOUNT OF GOODS IMPORTED IN THE YEAR ENDED 10th JANUARY, 1839.

| ARTICLES IMPORTED. | | Great Britain. | | | British West Indies. | | | British North American Colonies. | | | Foreign Countries. | | | TOTAL. | | |
|--------------------|-------------------|----------------|------|-----|----------------------|----|----|----------------------------------|----|-----------------|--------------------|----|----|--------|----|------------------|
| | | £ | s. | d. | £ | d. | s. | £ | s. | d. | £ | s. | d. | £ | s. | d. |
| BRANDY, | 69 gallons, | - | - | - | - | - | - | 21 | 7 | 0 | - | - | - | 21 | 7 | 0 |
| CORDAGE, | 96 cwt. | - | - | - | - | - | - | 43 | 0 | 0 | - | - | - | 115 | 0 | 0 |
| DRY GOODS, | 96 packages, | - | - | - | - | - | - | 962 | 0 | 0 | - | - | - | 1162 | 0 | 0 |
| NAILS, | 78 cwt. | - | - | - | - | - | - | 78 | 5 | 4 | - | - | - | 106 | 4 | 3 |
| MOLASSES, | 1148 gallons, | - | - | - | - | - | - | 130 | 3 | 5 | - | - | - | 130 | 3 | 5 |
| SAIL CLOTH, | 61 bolts, | - | - | - | - | - | - | 82 | 2 | 0 | - | - | - | 154 | 2 | 0 |
| SALT, | 70 hhds. | - | - | - | - | - | - | 47 | 5 | 0 | - | - | - | 47 | 5 | 0 |
| SOAP, | 15 boxes, | - | - | - | - | - | - | 17 | 4 | 0 | - | - | - | 17 | 4 | 0 |
| RUM, | 3196 gallons, | - | - | - | - | - | - | 605 | 7 | 9 | - | - | - | 605 | 7 | 9 |
| TEA, | 2501 lbs. | - | - | - | - | - | - | 298 | 13 | 6 | - | - | - | 298 | 13 | 6 |
| TOBACCO, | 2826 lbs. | - | - | - | - | - | - | 134 | 15 | 1 | - | - | - | 134 | 15 | 1 |
| IRON, | 12 tons, 102 cwt. | - | - | - | - | - | - | 76 | 17 | 3 | - | - | - | 213 | 17 | 3 |
| SUGAR, | 5 barrels, | - | - | - | - | - | - | - | - | - | - | - | - | 28 | 6 | 11 |
| SUNDRIES, | - | - | - | - | - | - | - | 662 | 7 | 9 $\frac{3}{4}$ | - | - | - | 1269 | 6 | 8 $\frac{3}{4}$ |
| | TOTAL, | £ | 1144 | 4 9 | £ | - | - | 3159 | 8 | 1 $\frac{3}{4}$ | £ | - | - | 4303 | 12 | 10 $\frac{3}{4}$ |

Custom House, 5th January, 1839.

WILLIAM S. MACGOWAN, Sub-Collector.

COLVILLE BAY, OUT PORT OF PRINCE EDWARD ISLAND.

AN ACCOUNT OF GOODS EXPORTED IN THE YEAR ENDED 5th JANUARY, 1839.

| ARTICLES EXPORTED. | | Great Britain. | | British West Indies. | | British North American Colonies. | | Foreign Countries. | | TOTAL. | |
|--------------------|----------------|----------------|-------|----------------------|-------|----------------------------------|-------|--------------------|-------|--------|-------|
| | | £ | s. d. | £ | s. d. | £ | s. d. | £ | s. d. | £ | s. d. |
| OATS, | 8282 bushels, | - | - | - | - | 414 | 2 0 | - | - | 414 | 2 0 |
| BARLEY, | 1706 do. | - | - | - | - | 255 | 18 0 | - | - | 255 | 18 0 |
| OATMEAL, | 14 barrels, | - | - | - | - | 28 | 0 0 | - | - | 28 | 0 0 |
| PORK, | 3 do. | - | - | - | - | 15 | 0 0 | - | - | 15 | 0 0 |
| DRY FISH, | 2100 quintals, | - | - | - | - | 1270 | 0 0 | - | - | 1270 | 0 0 |
| TIMBER, | 20 tons, | - | - | - | - | 20 | 0 0 | - | - | 20 | 0 0 |
| SPARS, | 12, | - | - | - | - | 12 | 0 0 | - | - | 12 | 0 0 |
| SCANTLING, | 90 tons, | - | - | - | - | 45 | 0 0 | - | - | 45 | 0 0 |
| BOARDS & PLANK, | 15 M. | - | - | - | - | 70 | 0 0 | - | - | 70 | 0 0 |
| PICKLED FISH, | 5 barrels, | - | - | - | - | 5 | 0 0 | - | - | 5 | 0 0 |
| CATTLE, | 37 head, | - | - | - | - | 80 | 0 0 | - | - | 80 | 0 0 |
| SHEEP, | 30, | - | - | - | - | 15 | 0 0 | - | - | 15 | 0 0 |
| TURNIPS, | 300 bushels, | - | - | - | - | 15 | 0 0 | - | - | 15 | 0 0 |
| POTATOES, | 11,877 do. | - | - | - | - | 603 | 18 9 | - | - | 603 | 18 9 |
| TOTAL, | | £ | - | - | - | 2848 | 18 9 | - | - | 2848 | 18 9 |

Custom House, January 7th, 1839.

WILLIAM S. MACGOWAN, Sub-Collector.

THREE RIVERS, OUT PORT OF PRINCE EDWARD ISLAND.

AN ACCOUNT OF GOODS IMPORTED IN THE YEAR ENDED 5th JANUARY, 1839.

| ARTICLES IMPORTED. | Great Britain. | | British West Indies. | | British North American Colonies. | | Foreign Countries. | | TOTAL. | |
|---|----------------|----------|----------------------|-------|----------------------------------|-------|--------------------|-------|--------|-----------|
| | £ | s. d. | £ | s. d. | £ | s. d. | £ | s. d. | £ | sterling. |
| ANCHORS and CHAINS, 19½ tons, and 10 Anchors, | 274 | 10 0 | | | 116 | 3 9½ | | | 390 | 13 9 |
| APPLES, 18 bbls. | | | | | 39 | 8 0 | | | 19 | 8 0 |
| ALLSPICE, 1 bag, | | | | | 0 | 7 4½ | | | 0 | 7 4½ |
| BREAD, 140 bags, | | | | | 158 | 4 3 | | | 158 | 4 3 |
| BEDS, 1, | | | | | 2 | 15 0 | | | 2 | 15 0 |
| BOTTLES, 1 gross, | | | | | 1 | 4 8 | | | 1 | 4 8 |
| BRANDY, 5 hlds. | | | | | 0 | 13 6 | | | 0 | 13 6 |
| BRICKS, 400, | | | | | 2 | 10 8½ | | | 2 | 10 8½ |
| BLOCKS, 1 lot, | | | | | 538 | 5 10 | | | 538 | 5 10 |
| CORRAGE, 31 tons, 97 coils, and 2 sets rigging, | 60 | 0 0 | | | 290 | 10 8 | | | 290 | 10 8 |
| CHAIN CABLES, 7, | | | | | 21 | 15 1½ | | | 21 | 15 1½ |
| COALS, 62½ chaldrons, | | | | | 9 | 0 0 | | | 9 | 0 0 |
| CANTANS, 1, | | | | | 100 | 5 3 | | | 100 | 5 3 |
| CANSTARS, 41 pieces, | | | | | 44 | 3 3½ | | | 44 | 3 3½ |
| CANDLES, 24 boxes, | | | | | 6 | 15 6 | | | 6 | 15 6 |
| CIGARS, 10 boxes, | | | | | 0 | 13 1 | | | 0 | 13 1 |
| CHOCOLATE, 1 bag, | | | | | 0 | 11 3 | | | 0 | 11 3 |
| CIDER, 1 bbl. | | | | | 2 | 14 0 | | | 2 | 14 0 |
| CIDER, 1 box. | | | | | 15 | 11 10 | | | 15 | 11 10 |
| CROCKERYWARE, 3 crates, | | | | | 0 | 14 9½ | | | 0 | 14 9½ |
| COTTON WARE, 10 lbs. | | | | | 3 | 0 10 | | | 3 | 0 10 |
| CORKS, 2 bags, | | | | | 3 | 12 0 | | | 3 | 12 0 |
| COFFEE, 2 bags, | | | | | 18 | 0 0 | | | 18 | 0 0 |
| COPPER, 20 bars, | | | | | 4 | 1 0 | | | 4 | 1 0 |
| CURRANTS, 1 box, | | | | | 1 | 0 0 | | | 1 | 0 0 |
| DRY GOODS, 57 bbls, 3 chests, 50 Hats, 1 truss, 31 cases and boxes, 8 bbls. | 105 | 0 0 | | | 2729 | 5 3 | | | 2834 | 5 3 |
| 13 parcels and packages, | 10 | 0 0 | | | 44 | 1 6 | | | 54 | 1 6 |
| EARTHENWARE, 6 crates and 2 boxes, | | | | | 862 | 1 0 | | | 862 | 1 0 |
| FISH, (pickled) 1716 bbls. | | | | | 5 | 8 0 | | | 5 | 8 0 |
| Ditto, (dried) 6 quintals, | | | | | 58 | 5 0 | | | 58 | 5 0 |
| FLOUR, 32 bbls. | | | | | 4 | 1 0 | | | 4 | 1 0 |
| FURS, 1 bale. | | | | | 47 | 0 4 | | | 47 | 0 4 |
| GLASS, 33 boxes, 2 casks and 1 gross Bottles, | | | | | 44 | 5 5 | | | 44 | 5 5 |
| GIN, 2 hlds. and 1 pipe, | | | | | 0 | 18 0 | | | 0 | 18 0 |
| GRAPES, 1 keg, | | | | | | | | | | |
| HARDWARE, 18 casks and cases, 3 boxes, 24 bbls. 176 parcels and packages, and 158 pieces, | | | | | 513 | 10 0½ | | | 513 | 10 0½ |
| HATS, 4 dozen, | | | | | 3 | 18 3 | | | 3 | 18 3 |
| IRON, 13 tons, 4 packages, and 1024 bars, | 113 | 0 0 | | | 337 | 6 5 | | | 450 | 6 5 |
| INDIGO, 5 boxes and 2 parcels, | | | | | 43 | 16 11 | | | 43 | 16 11 |
| LIGNUMVITÆ, 30 pieces, | 12 | 0 0 | | | 10 | 6 5 | | | 22 | 6 5 |
| LIMESTONE & LIMB, 26 tons and 12 bbls. | | | | | 2 | 19 6 | | | 2 | 19 6 |
| LOGWOOD, 2 pieces. | | | | | 0 | 8 7 | | | 0 | 8 7 |
| LEATHER, 31 sides and 11 bundles, | | | | | 85 | 3 4 | | | 85 | 3 4 |
| LEAD, 44 lbs. | | | | | 1 | 0 8 | | | 1 | 0 8 |
| MEDICINES, 3 boxes, | | | | | 15 | 15 2 | | | 15 | 15 2 |
| MOLASSES, 30 puncheons and 4 casks, | | | | | 329 | 15 3 | | | 329 | 15 3 |
| MUSTARD, 1 keg, | | | | | 0 | 18 0 | | | 0 | 18 0 |
| NAILS, 38 kegs, 19 bags, 4 cwt. and 2 boxes, | | | | | 114 | 19 9 | | | 114 | 19 9 |
| NETS, 6, | | | | | 18 | 4 7 | | | 18 | 4 7 |
| NETS, 15½ cwt. | 14 | 0 0 | | | 16 | 0 6 | | | 30 | 0 6 |
| OL, 4 cans, 5 jars, and 3 kegs, | 7 | 0 0 | | | 26 | 11 1 | | | 33 | 11 1 |
| ONIONS, 2 bbls. | | | | | 1 | 19 0 | | | 1 | 19 0 |
| PAINT, 32 kegs and 14 cwt. | 16 | 0 0 | | | 16 | 10 10 | | | 32 | 10 10 |
| PHEATON, 1, | 30 | 0 0 | | | 60 | 10 3 | | | 90 | 10 3 |
| PITCH & Tar, 62 bbls. | | | | | 0 | 14 6 | | | 0 | 14 6 |
| PAPER, 1 ream, | | | | | 8 | 18 3 | | | 8 | 18 3 |
| POWDER, 9 kegs, | | | | | 3 | 4 6 | | | 3 | 4 6 |
| PEPPER, 4 bags, | | | | | 4 | 6 6 | | | 4 | 6 6 |
| PIMENTO, 125 lbs. | | | | | 1 | 19 8 | | | 1 | 19 8 |
| PUTTY, 5 bladders, | | | | | 0 | 18 0 | | | 0 | 18 0 |
| POTS, 2½ cwt. | | | | | 3 | 0 5 | | | 3 | 0 5 |
| PLOUGH PLATES, ½ cwt. | | | | | 0 | 9 0 | | | 0 | 9 0 |
| PORTER, 1 hoghead, | | | | | 5 | 8 0 | | | 5 | 8 0 |
| RUM, 50 puncheons, 3 bbls. and 2 bbls. | | | | | 852 | 13 1 | | | 852 | 13 1 |
| RICE, 1 tierce, | | | | | 18 | 17 8 | | | 18 | 17 8 |
| RAISINS, 33 boxes and 1 case, | | | | | 0 | 6 9 | | | 0 | 6 9 |
| REDWOOD, ½ cwt. | 15 | 0 0 | | | 5 | 3 6 | | | 20 | 3 6 |
| SHOES, 1 cask, 1 basket and 1 bundle, | 5 | 0 0 | | | 80 | 0 0 | | | 85 | 0 0 |
| STATIONERY, 1 package, | 40 | 0 0 | | | 255 | 0 1 | | | 295 | 0 1 |
| SAILS, 3 sets, | | | | | 67 | 18 9½ | | | 67 | 18 9½ |
| SALT, 120 tons, 209 hlds. and 860 bushels, | | | | | 156 | 4 10½ | | | 156 | 4 10½ |
| SOAP, 83 boxes, | | | | | 4 | 10 0 | | | 4 | 10 0 |
| SUGAR, 4 hlds. 1 tierce, 17 bbls. and 26 lbs. | | | | | 2 | 11 0 | | | 2 | 11 0 |
| SNUFF, 2 kegs, | | | | | 11 | 6 8 | | | 11 | 6 8 |
| SAWS, 1 doz. | | | | | 3 | 3 7 | | | 3 | 3 7 |
| SEYTHES & SICKLES, 6 bbls. and 7 doz. | | | | | 5 | 5 0 | | | 5 | 5 0 |
| STARCH, 1 box and 1 parcel, | | | | | 3 | 12 0 | | | 3 | 12 0 |
| SHOT, 12 bags, | | | | | 4 | 10 0 | | | 4 | 10 0 |
| SEEDS, 1 bbl. | | | | | 687 | 0 5 | | | 687 | 0 5 |
| STEEL, 2 bundles, | | | | | 251 | 10 11 | | | 251 | 10 11 |
| TEA, 75 chests and boxes, and 186 lbs. | | | | | 5 | 16 4 | | | 5 | 16 4 |
| Tobacco, 44½ kegs, 1 roll, 121 lbs. 1 box and 1 jar, | | | | | 1 | 4 9 | | | 1 | 4 9 |
| TRACES, 1 parcel, | | | | | 172 | 17 1 | | | 172 | 17 1 |
| TINWARE, 1 tierce, | | | | | 3 | 12 0 | | | 3 | 12 0 |
| VINEGAR, 1 keg, | | | | | 3 | 0 0 | | | 3 | 0 0 |
| WINE, 2 pipes, 11 qr. casks, 2 kegs and 1 case, | | | | | | | | | | |
| WINDLASS, 1, | | | | | | | | | | |
| WEIGHTS, 1 lot, | | | | | | | | | | |
| TOTAL, | £ | 701 10 0 | | | 9146 | 13 5 | | | 10145 | 3 5 |

Custom House, Three Rivers, 5th January, 1839.

7*

HUGH MACDONALD, Sub-Collector.

THREE RIVERS, OUT PORT OF PRINCE EDWARD ISLAND.

AN ACCOUNT OF GOODS EXPORTED IN THE YEAR ENDED 5th JANUARY, 1839.

| ARTICLES EXPORTED. | Great Britain. | | | British West Indies. | | | British North American Colonies. | | | Foreign Countries. | | | Totals. | | |
|--|----------------|------|------|----------------------|----|----|----------------------------------|----|----|--------------------|----|----|---------|----|----|
| | £ | s. | d. | £ | s. | d. | £ | s. | d. | £ | s. | d. | £ | s. | d. |
| BILLETS, 8350. | - | - | - | - | - | - | - | - | - | - | - | - | 20 | 5 | 0 |
| BOARDS & PLANK, 3344 M. and 850 feet, | - | - | - | - | - | - | - | - | - | - | - | - | 913 | 15 | 0 |
| BARLEY, 3877 bushels, | - | - | - | - | - | - | - | - | - | - | - | - | 621 | 8 | 0 |
| Ditto (pearled), 8 brls. | - | - | - | - | - | - | - | - | - | - | - | - | 10 | 16 | 0 |
| BUTTER, 2 tubs and 2 firkins, | - | - | - | - | - | - | - | - | - | - | - | - | 21 | 4 | 9 |
| BARRELS, (empty), 120, | - | - | - | - | - | - | - | - | - | - | - | - | 43 | 11 | 2½ |
| BREAD, 44 bags, | - | - | - | - | - | - | - | - | - | - | - | - | 107 | 0 | 0 |
| BLACK CATTLE, 15, | - | - | - | - | - | - | - | - | - | - | - | - | 5 | 0 | 0 |
| CROCKERY, 1 box, | - | - | - | - | - | - | - | - | - | - | - | - | 179 | 9 | 0 |
| DRY GOODS, 2 boxes, 3 bales and 3 parcels, | - | - | - | - | - | - | - | - | - | - | - | - | 48 | 0 | 0 |
| DEALS, 122 M. 316 feet and 9675 pieces, | 1540 | 0 | 0 | - | - | - | - | - | - | - | - | - | 28 | 7 | 0 |
| EMPTY KEGS, 378, | - | - | - | - | - | - | - | - | - | - | - | - | 30 | 0 | 0 |
| FINS, 1 box, | - | - | - | - | - | - | - | - | - | - | - | - | 73 | 11 | 6 |
| FLOUR, 42 brls. | - | - | - | - | - | - | - | - | - | - | - | - | 473 | 5 | 0 |
| FISH, (pickled), 479 brls. | - | - | - | - | - | - | - | - | - | - | - | - | 233 | 8 | 0 |
| Ditto, (dried), 308 quintals, | - | - | - | - | - | - | - | - | - | - | - | - | 13 | 1 | 0 |
| FIREWOOD, 31 cords, | - | - | - | - | - | - | - | - | - | - | - | - | 1 | 4 | 0 |
| HATS, 2 doz. | - | - | - | - | - | - | - | - | - | - | - | - | 4 | 10 | 0 |
| LARD, 2 tubs, | - | - | - | - | - | - | - | - | - | - | - | - | 37 | 14 | 2½ |
| LARCHWOOD, 51 cords, | 62 | 12 | 0 | - | - | - | - | - | - | - | - | - | 20 | 0 | 0 |
| MOLASSES, 4 puncheons, | - | - | - | - | - | - | - | - | - | - | - | - | 160 | 0 | 0 |
| NETS, 6, | - | - | - | - | - | - | - | - | - | - | - | - | 1452 | 18 | 5½ |
| OATMEAL, 77 brls. and 3500 lbs. | - | - | - | - | - | - | - | - | - | - | - | - | 53 | 10 | 0 |
| OATS, 17102 bushels, | - | - | - | - | - | - | - | - | - | - | - | - | 2 | 5 | 0 |
| Oil, 2 hds. 2½ brls. and 250 gallons, | 2 | 0 | 0 | - | - | - | - | - | - | - | - | - | 106 | 4 | 0 |
| ORPOLES, 120, | - | - | - | - | - | - | - | - | - | - | - | - | 12 | 12 | 0 |
| PORK, 47 brls. | - | - | - | - | - | - | - | - | - | - | - | - | 990 | 0 | 0 |
| PLASTER PARIS, 28 brls. | - | - | - | - | - | - | - | - | - | - | - | - | 47 | 4 | 0 |
| POTATOES, 18889 brls. | - | - | - | - | - | - | - | - | - | - | - | - | 0 | 15 | 0 |
| RUM, 2 puncheons, | - | - | - | - | - | - | - | - | - | - | - | - | 46 | 5 | 0 |
| RASINS, 1 box, | - | - | - | - | - | - | - | - | - | - | - | - | 45 | 0 | 0 |
| SCANTLING, 59 tons and 40 M. feet, | - | - | - | - | - | - | - | - | - | - | - | - | 334 | 9 | 6 |
| SALT, 49 hds. and 230 bushels, | - | - | - | - | - | - | - | - | - | - | - | - | 41 | 9 | 0 |
| SHINGLES, 752 M. | - | - | - | - | - | - | - | - | - | - | - | - | 2 | 10 | 0 |
| SPARS, 82, | - | - | - | - | - | - | - | - | - | - | - | - | 25 | 2 | 6 |
| SUGAR, 2 brls. | - | - | - | - | - | - | - | - | - | - | - | - | 15 | 16 | 0½ |
| SOAP, 2 boxes, | 20 | 0 | 0 | - | - | - | - | - | - | - | - | - | 3 | 0 | 0 |
| SHEEP, 2, | - | - | - | - | - | - | - | - | - | - | - | - | 22 | 10 | 0 |
| TEA, 6 chests and 6 lbs. | - | - | - | - | - | - | - | - | - | - | - | - | 9 | 12 | 0 |
| TORACCO, 6 half kegs, | - | - | - | - | - | - | - | - | - | - | - | - | 6276 | 14 | 4½ |
| TURNIPS, 60 bushels, | - | - | - | - | - | - | - | - | - | - | - | - | 1 | 15 | 0 |
| TURNER, (pine), 864 tons and 403 pieces, | - | - | - | - | - | - | - | - | - | - | - | - | 25 | 2 | 6 |
| Ditto, (hardwood) 529 tons and 529 pieces, | 1137 | 10 | 0 | - | - | - | - | - | - | - | - | - | 15 | 16 | 0½ |
| WHEAT, 33 bushels, | 704 | 19 | 8 | - | - | - | - | - | - | - | - | - | 3 | 0 | 0 |
| TOTAL, | £ | 3467 | 16 8 | - | - | - | - | - | - | - | - | - | 704 | 19 | 8 |
| | | | | | | | | | | | | | 9 | 12 | 0 |
| | | | | | | | | | | | | | 9744 | 11 | 0½ |

Custom House, Three Rivers, 5th January, 1839.

HUGH MACDONALD, Sub-Collector.

JOURNAL

OF

THE HOUSE OF ASSEMBLY

OF

PRINCE EDWARD ISLAND.

ANNO SECUNDO VICTORIÆ REGINÆ.

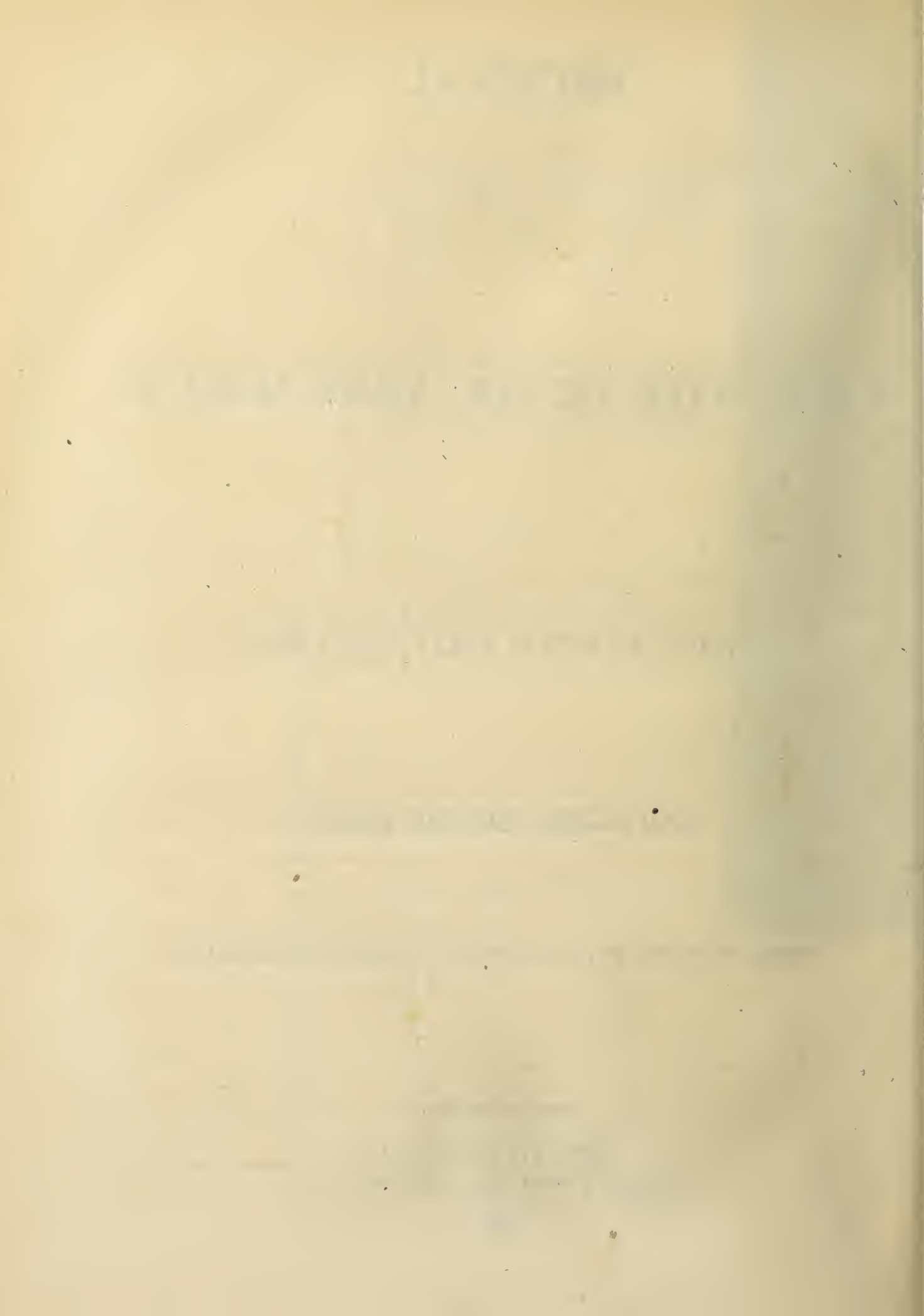
SECOND SESSION OF THE FIFTEENTH GENERAL ASSEMBLY.

CHARLOTTETOWN:

JAMES B. COOPER & CO.

CORNER OF POWNAL AND WATER STREETS.

1839.





By His Excellency

SIR CHARLES AUGUSTUS FITZ ROY, K. H.

C. A. Fitz Roy, Lieutenant Governor and Commander in Chief in and over Her Majesty's Island Prince Edward, and the Territories thereunto belonging, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

A P R O C L A M A T I O N .

WHEREAS Her Majesty hath been pleased, by Letters Patent, under the Great Seal of the United Kingdom, bearing date at Westminster, the Thirteenth day of December last, to appoint Lieutenant General Sir JOHN COLBORNE, Knight Grand Cross of the most Honorable Military Order of the Bath, to be Captain General and Governor in Chief in and over this Island, in the room of the Right Honorable John George Earl of Durham: And whereas, after reciting Her Majesty's pleasure, that there should be two distinct and separate Councils in the said Island, Her Majesty did, in and by the said Letters Patent, grant and declare, that there should be thenceforward, within this Island, two distinct and separate Councils, to be respectively called the Legislative Council and the Executive Council of the said Island; and did direct and declare Her Royal pleasure to be, that the powers formerly vested in the Council of the said Island, as far as respected the enactment of Laws, should be and were thereby vested in the Legislative Council; and that all other powers whatever, vested in the said Council, should be and were vested in the said Executive Council; and did declare that the said Councils should consist of such and so many Members as Her Majesty should from time to time nominate and appoint, under Her Royal Sign Manual and Signet, or as should be provisionally appointed by the said Sir John Colborne, until Her Majesty's pleasure should be known—provided that the number of Members for the time being, resident within the said Island, of the said Executive Council, should not be more than nine, and of the said Legislative Council, not more than twelve, by any such provisional appointments.

And whereas Her Majesty hath been pleased to transmit to me the said Letters Patent for my government, and to vest in me, in the absence of the said Sir John Colborne, as her Lieutenant Governor in and over the said Island, all the powers and authorities which by the said Letters Patent are granted to the said Sir John Colborne:

And whereas Her Majesty, by her Instructions, under her Royal Sign Manual, dated at Windsor, on the Thirteenth day of December last, did nominate and appoint George Wright, Thomas Heath Haviland, Robert Hodgson, John Brecken, George Richard Goodman and James Peake, Esquires, to be, during Her Majesty's pleasure, Executive Councillors in the said Island; and did further nominate and appoint George Wright, Thomas Heath Haviland, Robert Hodgson, John Brecken, George Richard Goodman, James Peake, Charles Worrell, Donald Macdonald, William McIntosh, and John Levitt, Esquires, to be, during Her Majesty's pleasure, Legislative Councillors in the said Island:

And whereas I the said Lieutenant Governor, in virtue of the authority in me vested, and for further carrying into effect Her Majesty's Royal intentions, and fulfilling the object of the said Letters Patent in that behalf, have thought fit provisionally to appoint Joseph Pope and John Small Macdonald, Esquires, to be additional Executive Councillors in the said Island:

And whereas two of the said Legislative Councillors, George Wright and James Peake, Esquires, have resigned their seats in the said Legislative Council, I have thought fit, by virtue of the power and authority in me vested as aforesaid, provisionally to appoint George Dalrymple, Samuel Green, Peter Stewart MacNutt, and John Macgowan, Esquires, to be additional Legislative Councillors in the said Island:

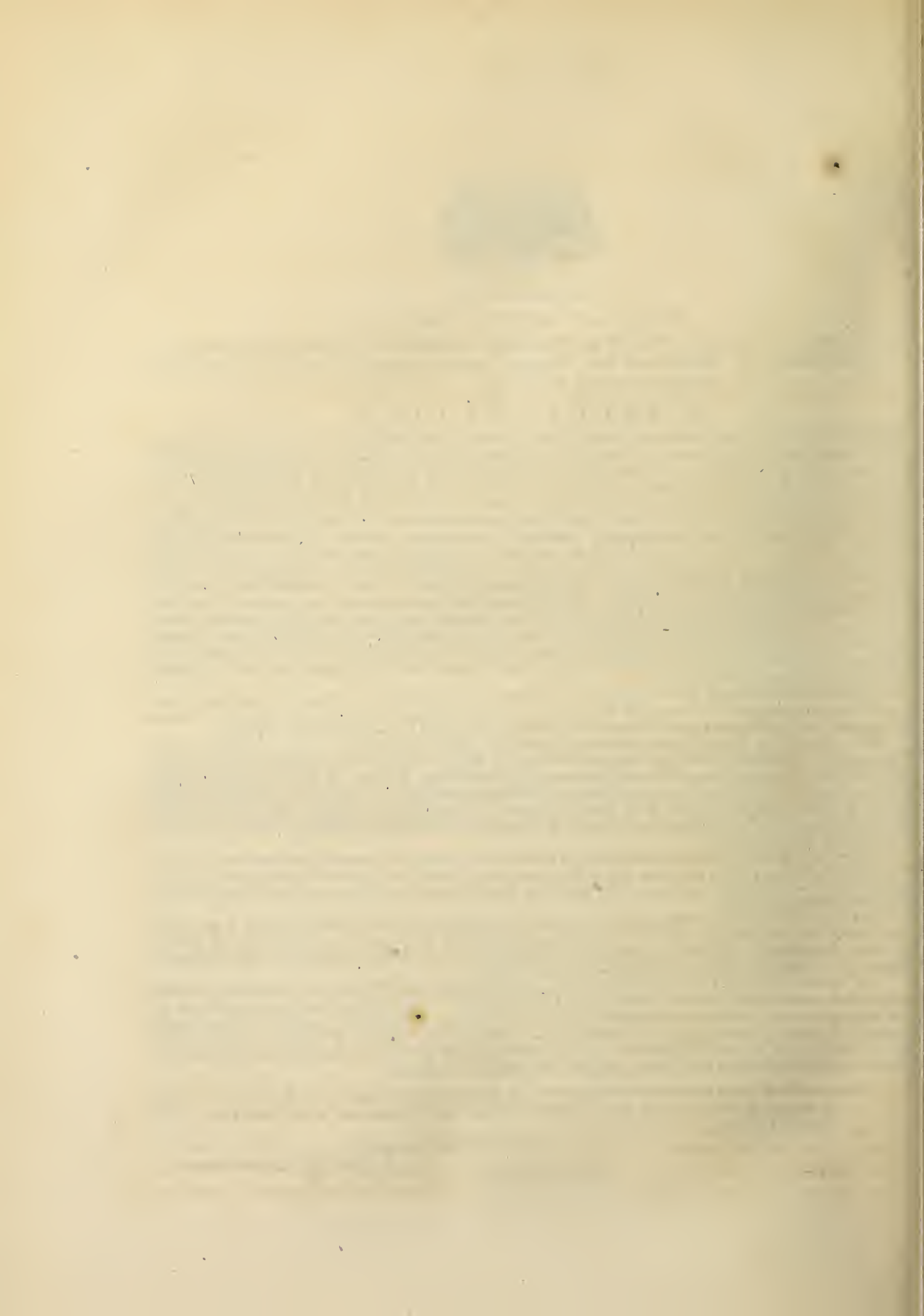
And whereas the General Assembly of this Island stands prorogued until Tuesday the Twelfth day of March instant, then to meet for the Despatch of Business, I have thought fit, by this my Proclamation, to promulgate the said Royal Commission and the several matters aforesaid; and have also thought fit to convene the said General Assembly on the said Twelfth day of March instant, then to meet for the Despatch of Business, of which as well the said Members of the said Legislative Council as the Members of the House of Assembly, and all others concerned, are hereby required to take notice, and govern themselves accordingly.

Given under my Hand and the Great Seal of the said Island, at Charlottetown, this Fourth day of March, in the year of Our Lord One thousand eight hundred and thirty-nine, and in the Second year of Her Majesty's Reign.

By His Excellency's command,

J. P. COLLINS, Colonial Secretary.

God save the Queen.



JOURNAL
OF THE
HOUSE OF ASSEMBLY
OF
PRINCE EDWARD ISLAND.

SECOND SESSION OF THE FIFTEENTH GENERAL ASSEMBLY.

TUESDAY, March 12, 1839.

THE House having been prorogued until this day, then to meet for the dispatch of business:

And being met—

A Message from His Excellency the Lieutenant Governor, by John Cambridge Wright, Esquire, Usher of the Black Rod.

Mr. Speaker,

His Excellency the Lieutenant Governor commands the immediate attendance of this Honorable House in the Council Chamber.

Accordingly, Mr. Speaker and the House went up to attend His Excellency in the Council Chamber—and being returned,

Mr. Speaker reported, that when the House did attend His Excellency this day in the Council Chamber, His Excellency was pleased to make a Speech to both Houses of the Legislature, of which Mr. Speaker said he had, to prevent mistakes, obtained a copy, which was read by the Clerk, and is as follows:

Mr. President, and Honorable Gentlemen of the Legislative Council;

Mr. Speaker, and Gentlemen of the House of Assembly;

Having by the last Packet received Her Majesty's commands to separate and reconstruct the Council of this Island, it became my duty to terminate the late Session of the General Assembly, and to prorogue it for a short period, in order to carry this arrangement into effect. I have now called you together, trusting that you will, without inconvenience, be able to take up and complete such business as remained unfinished at the recent prorogation, or as the interests of the Colony may require.

During the short interval which has elapsed since the termination of the late Session, I regret to have to inform you, that intelligence has reached me of active measures having been taken by the State of Maine, to enforce, by arms, their alleged claims to the territory in dispute between that State and Her Majesty's Province of New Brunswick. This outrage, in defiance of existing treaties, and of the amicable professions of the general Government of the United States towards that of Her Majesty, has created a sensation of general indignation in New Brunswick and Nova Scotia; and although the season of the year precludes the possibility of this Colony rendering any active assistance at the present moment, yet I am

sure it will universally respond to the feeling so forcibly expressed by the Council and Assembly of the neighbouring Province of Nova Scotia.

Resolved, That a Committee of five Members be appointed, to prepare and report, with all convenient speed, the draught of an Address in answer to the Speech of His Excellency the Lieutenant Governor, delivered this day to both Houses of the Legislature.

Ordered, That Mr. Rae, Mr. Montgomery, Hon. Mr. Pope, Hon. John S. Macdonald and Mr. Longworth do compose the said Committee.

Then the House adjourned until to-morrow at Eleven o'clock.

WEDNESDAY, March 13, 1839.

MR. RAE, from the Special Committee appointed to prepare and report the draught of an Address in answer to the Speech of His Excellency the Lieutenant Governor to both Houses, at the opening of the present Session, reported the draught of an Address, as prepared by the Committee; and the Report being read by the Clerk;

Ordered, That the said draught Address be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Montgomery took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Montgomery reported, that the Committee had gone through the draught Address reported from the Special Committee, paragraph by paragraph, had made an amendment thereto, and then agreed to the same—and the said Address, as amended, was again read at the Clerk's Table, and is as followeth:—

To His Excellency Sir CHARLES AUGUSTUS FITZ ROY, K. H., Lieutenant Governor and Commander-in-Chief in and over Her Majesty's Island Prince Edward, and its Dependencies, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

May it please your Excellency;

We Her Majesty's dutiful and loyal subjects, the Representatives of the people of Prince Edward Island, in Colonial Parliament assembled, respectfully beg leave to thank your Excellency for your Speech at the opening of the present Session.

We beg leave to assure your Excellency, that, so far as is in our power, we will do our endeavour to perfect those measures which may appear to be for the interest of the Colony.

We regret that our brother Colonists in New Brunswick are exposed to the serious inconvenience arising from the menaced attack of the State of Maine, but confidently hope, that an accommodation will be brought about between the Imperial Government and the General Government of the United States. If, unfortunately, however, a war between the two Governments be the result of the recent movement of the State of Maine, we beg to assure your Excellency, that so far as the circumstances of the Colony will admit, we will endeavour to make those arrangements which such a state of our relations may require.

The Hon. Mr. Pope moved to amend the said Report, by leaving out the last paragraph of the Address, and substituting the following—

'We sincerely regret to learn, that during the short interval which has elapsed since the termination of the last Session, information has been received of the determination evinced by the State of Maine to take forcible possession of the territory in dispute between the Province of New Brunswick and that State, in defiance of existing treaties, and of the amicable professions of the general Government of the United States towards Her Majesty. While we regret that the season of the year, and our isolated situation, preclude the possibility of our rendering active assistance at the present moment, yet, in common with all loyal subjects, we cannot refrain from expressing our indignation at the daring insult thus offered to the nation to which we belong, and our most lively sympathy with our brave and loyal fellow subjects, the inhabitants of our sister Province of New Brunswick—and we beg to assure your Excellency, that we shall best consult the wishes of the inhabitants of this Colony, by placing at your disposal such means as will enable your Excellency to afford every assistance in our power to repel the aggressions of a Foreign foe, in their treacherous attempts to invade the territory of our sister Colony.'

The House divided on the motion of amendment.

YEAS :

| | |
|-------------------------------|------------------------|
| Hon. Mr. <i>Pope</i> , | Mr. <i>Hudson</i> , |
| Hon. J. S. <i>Macdonald</i> , | Mr. <i>Yeo</i> , |
| Mr. <i>Montgomery</i> , | Mr. <i>Longworth</i> . |

NAYS :

| | |
|--------------------------|---------------------------|
| Mr. <i>Thomson</i> , | Mr. <i>Beck</i> , |
| Mr. <i>Fraser</i> , | Mr. <i>Macfarlane</i> , |
| Mr. W. <i>Dingwell</i> , | Mr. <i>Dalziel</i> , |
| Mr. <i>Forbes</i> , | Mr. D. <i>Macdonald</i> , |
| Mr. <i>Gorman</i> , | Mr. J. <i>Dingwell</i> , |
| Mr. <i>Macintosh</i> , | Mr. <i>Rae</i> , |
| Mr. <i>Le Lacheur</i> , | Mr. <i>Macneill</i> . |

So it passed in the negative.

Mr. Speaker having then put the question—
“Is it the pleasure of the House that the Report of the Committee be agreed to?”

It was resolved in the affirmative.

Ordered, That the said Address be engrossed.

Resolved, That the said Address be presented to His Excellency the Lieutenant Governor by the whole House.

Ordered, That Mr. *Rae*, Mr. W. *Dingwell* and Mr. *Le Lacheur* be a Committee to wait on His Excellency, to know his pleasure when he will be attended by the House with the Address.

Resolved, That the several Special Committees appointed last Session, and who had not finally reported, be revived, and have leave to report this Session on the subjects to them respectively referred.

Mr. *Thomson* moved, that the House do come to a Resolution as followeth :—

Whereas when this House, during its late Session, ordered the printing of the Journals for public Tender, they did so in order that the said printing might be performed on the most reasonable and best terms, and the Tender of Mr.

J. H. White being the lowest, was accepted; and whereas the said J. H. White has not performed the printing of the Journals in a satisfactory manner, nor in the way which he contracted with this House to do; and whereas the next lowest Tender for printing the Journals was that of Messrs. J. B. Cooper & Co.—
Therefore, Resolved, That they be Printers of the Journals for this Session, at the rate of their said Tender, being Two Pounds nine shillings and sixpence per sheet of four pages.

The Hon. Mr. *Pope* moved, as an amendment to the question, that a Committee be appointed, to advertise for Tenders for the printing of the Journals of this Session.

The House divided on the motion of amendment.

YEAS :

| | |
|-------------------------------|-------------------------|
| Hon. Mr. <i>Pope</i> , | Mr. <i>Dalziel</i> , |
| Mr. <i>Longworth</i> , | Mr. <i>Montgomery</i> , |
| Hon. J. S. <i>Macdonald</i> , | Mr. <i>Hudson</i> . |
| Mr. <i>Yeo</i> , | |

NAYS :

| | |
|---------------------------|-------------------------|
| Mr. D. <i>Macdonald</i> , | Mr. <i>Macintosh</i> , |
| Mr. <i>Thomson</i> , | Mr. <i>Fraser</i> , |
| Mr. J. <i>Dingwell</i> , | Mr. <i>Le Lacheur</i> , |
| Mr. <i>Macfarlane</i> , | Mr. <i>Beek</i> , |
| Mr. <i>Macneill</i> , | Mr. <i>Forbes</i> , |
| Mr. <i>Rae</i> , | Mr. <i>Gorman</i> . |
| Mr. W. <i>Dingwell</i> , | |

So it passed in the negative.

The question being then put on the main motion, it was carried in the affirmative.

Ordered, That a copy of the Journal of this House be sent to His Excellency the Lieutenant Governor each day, as soon as may be after the adjournment.

Then the House adjourned until to-morrow at Eleven o'clock.

THURSDAY, March 14, 1839.

MR. *RAE*, from the Committee appointed to wait on His Excellency the Lieutenant Governor, to know his pleasure when he will be attended by the House with the Address, reported, that His Excellency had been pleased to appoint this day, at Two o'clock, to receive the House.

Resolved, That a Committee be appointed, to keep up a good correspondence between the two branches of the Legislature, and to report their proceedings from time to time—with power to send for persons, papers and records.

Ordered, That Mr. *Clark*, Mr. D. *Macdonald*,

Hon. *J. S. Macdonald* and the Hon. Mr. *Pope* do compose the said Committee.

Ordered, That the said Resolution be communicated by Message to the Legislative Council.

Ordered, That Mr. *Clark* do carry the said Message to the Council.

Mr. *Clark*, from the Committee appointed to inquire into the Grievances which have agitated this Island for some time past, with a view to provide a remedy, with leave to report from time to time, by Bills or otherwise, presented to the House a Bill for the regulation of the Fishery Reserves in this Island, and the same was read the first time.

Ordered, That the said Bill be read a second time on Saturday next.

Mr. *Clark*, from the same Committee, also reported a Bill for regulating the forfeiture of Lands and settlement of the Inhabitants of

this Island, and the same was read the first time.

Ordered, That the said Bill be read a second time on Monday next.

The hour appointed by His Excellency the Lieutenant Governor to receive the Address having arrived, Mr. Speaker and the House went up—and being returned, Mr. Speaker reported that the House had attended upon His Excellency and presented their Address, to which His Excellency was pleased to make the following reply :

Mr. Speaker, and Gentlemen of the House of Assembly ;

I thank you for this Address, and for the assurance of your co-operation, as far as the circumstances of the Colony will admit, in case of any emergency that may arise out of the existing state of affairs between the State of Maine and Her Majesty's Province of New Brunswick.

Then the House adjourned until to-morrow at Eleven o'clock.

FRIDAY, March 15, 1839.

THE House being met—but the Speaker not being present, in consequence of severe illness, it was moved that the House do adjourn until to-morrow at Eleven o'clock.

And thereupon the Clerk (to whom those who spoke addressed themselves, according to

former practice, in the absence of the Speaker,) by direction of the House, put the question for adjourning the House until to-morrow at the hour mentioned.

And the House was accordingly adjourned until to-morrow, at Eleven o'clock.

SATURDAY, March 16, 1839.

MR. *YEO* read in his place a Petition of divers Inhabitants of Township Number Fourteen and its vicinity, praying a grant to aid in completing the Road from Ellis River Chapel to the Cross River, and thence to the main Western Road.

After which Mr. *Yeo* informed the House that His Excellency the Lieutenant Governor being acquainted with the purport of the said Petition, gives his consent that the House may proceed thereon as they shall think fit.

And then Mr. *Yeo* moved, that the said Petition be received and read.

Mr. *D. Macdonald* moved, in amendment to the motion, that all the words after "That" be

struck out, and the following substituted :
 "owing to the sufficient time afforded by this
 " House in its last Session for receiving Peti-
 " tions, praying aid for Roads and Bridges, or
 " for objects of a local or private nature, it is
 " inexpedient that any Petitions of such a nature
 " be received by the House this Session"—
 which being seconded and put, was carried in the affirmative.

The main motion, as amended, was then put and carried.

The Bill for regulating the Fishery Reserves in this Island, was, according to order, read a second time.

Ordered, That the said Bill be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Arbuckle took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had made some progress, and had directed him to move for leave to sit again—which the House agreed to.

A Message from the Council, by Mr. Desbrisay:

‘ COUNCIL CHAMBER,
Friday, 15th March, 1839.

‘ *RESOLVED*, That a Committee be appointed, to join the Committee of the House of Assembly, to keep up a good correspondence between the two branches of the Legislature, and to report their proceedings from time to time—with power to send for persons, papers and records.

‘ *Ordered*, That the Honorables Mr. Attorney General and Mr. Green do compose the said Committee.

‘ *Ordered*, That the said Resolution be communicated, by Message, to the House of Assembly.’

And then he withdrew.

Then the House adjourned for one hour.

And being met—

Resolved, That this House do now resolve itself into a Committee of the whole House, on the further consideration of the Bill for regulating the Fishery Reserves in this Island.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Arbuckle took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Arbuckle reported, that the Committee had gone through the Bill, and had made several amendments thereto; which amendments were again read at the Clerk's Table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed, and that the Title be *An Act for the regulation of the Fishery Reserves in this Island*.

Resolved, That a Committee of five Members be appointed, to prepare and bring in a Bill to regulate the drawing and issuing of Treasury Warrants.

Ordered, That Mr. Yeo, Mr. Palmer, Hon. Mr. Pope, Mr. Hudson and Mr. Longworth do compose the said Committee.

Mr. D. Macdonald moved, that copies of the Documents delivered by William Cooper, Esq. at the Colonial Office, in London; and also copies of the Correspondence which took place between him and the Colonial Office in August last, be printed as an Appendix to the Journals of this House, and become part of the Public Records of this Colony; and that the Speaker of this House do furnish copies of the same to Messrs. James B. Cooper & Co. the Printers of the Journals of this House.

The Hon. Mr. Pope moved, in amendment to the motion, that the whole be struck out, and the following substituted:

“ That to place on the Journals of this House copies of any documents or correspondence delivered at the Colonial Office by William Cooper, Esquire, on his own authority, or while acting under the direction of a self constituted Committee or body, with a view to bring about a general confiscation of all real property in this Island, and to libel the constituted authorities of its Government, as well as the character of many of its inhabitants, without the least inquiry into or proof of the allegations contained in such documents, would be highly derogatory to the dignity and character of this House.”

The House divided on the motion of amendment.

YEAS :

| | |
|-----------------------|----------------|
| Hon. Mr. Pope, | Mr. Yeo, |
| Mr. Hudson, | Mr. Palmer, |
| Hon. J. S. Macdonald, | Mr. Longworth. |

NAYS :

| | |
|-------------------|-----------------|
| Mr. D. Macdonald, | Mr. Beek, |
| Mr. J. Dingwell, | Mr. Fraser, |
| Mr. Macintosh, | Mr. Arbuckle, |
| Mr. Forbes, | Mr. Thomson, |
| Mr. Maenell, | Mr. Clark, |
| Mr. Le Lacheur, | Mr. Macfarlane, |
| Mr. Rae, | Mr. Dalziel, |
| Mr. Montgomery, | Mr. Gorman. |
| Mr. W. Dingwell, | |

So it passed in the negative.

The question being then put on the main motion,

The House again divided :

YEAS :

| | |
|---------------------------|-------------------------|
| Mr. <i>D. Macdonald</i> , | Mr. <i>Beck</i> , |
| Mr. <i>J. Dingwell</i> , | Mr. <i>Fraser</i> , |
| Mr. <i>Macintosh</i> , | Mr. <i>Arbuckle</i> |
| Mr. <i>Forbes</i> , | Mr. <i>Thomson</i> , |
| Mr. <i>Macneill</i> , | Mr. <i>Clark</i> , |
| Mr. <i>Le Lacheur</i> , | Mr. <i>Macfarlane</i> , |
| Mr. <i>Rae</i> , | Mr. <i>Dalziel</i> , |
| Mr. <i>Montgomery</i> , | Mr. <i>Gorman</i> . |
| Mr. <i>W. Dingwell</i> , | |

NAYS :

| | |
|-------------------------------|------------------------|
| Hon. Mr. <i>Pope</i> , | Mr. <i>Yeo</i> , |
| Mr. <i>Hudson</i> , | Mr. <i>Palmer</i> , |
| Hon. <i>J. S. Macdonald</i> , | Mr. <i>Longworth</i> . |

So it was carried in the affirmative ; and
Ordered, accordingly.

Resolved, That a Committee of three Members be appointed, to examine what Laws have lately expired, or are near expiring, and to report thereon to the House.

Ordered, That Mr. *Longworth*, Mr. *Palmer* and Mr. *J. Dingwell* do compose the said Committee.

Then the House adjourned until Monday next, at Eleven o'clock.

MONDAY, March 18, 1839.

THE Order of the Day, for the second reading of the Bill for regulating the forfeiture of Lands and settlement of the Inhabitants of this Colony, being read ;

The Hon. Mr. *Pope* moved, that the said Order of the Day be discharged, and made the Order of the Day for this day three months.

The House divided on the question :

YEAS :

| | |
|-------------------------------|------------------------|
| Hon. Mr. <i>Pope</i> , | Mr. <i>Yeo</i> , |
| Mr. <i>Palmer</i> , | Mr. <i>Longworth</i> , |
| Hon. <i>J. S. Macdonald</i> , | Mr. <i>Hudson</i> . |

NAYS :

| | |
|-------------------------|---------------------------|
| Mr. <i>Clark</i> , | Mr. <i>J. Dingwell</i> , |
| Mr. <i>Fraser</i> , | Mr. <i>Macfarlane</i> , |
| Mr. <i>Macneill</i> , | Mr. <i>Thomson</i> , |
| Mr. <i>Macintosh</i> , | Mr. <i>Le Lacheur</i> , |
| Mr. <i>Forbes</i> , | Mr. <i>D. Macdonald</i> , |
| Mr. <i>Gorman</i> , | Mr. <i>Beck</i> , |
| Mr. <i>Montgomery</i> , | Mr. <i>W. Dingwell</i> , |
| Mr. <i>Dalziel</i> , | Mr. <i>Rae</i> . |
| Mr. <i>Arbuckle</i> , | |

So it passed in the negative.

And then the said Bill was read a second time.

Ordered, That the said Bill be committed to a Committee of the whole House to-morrow.

Then the House adjourned for one hour.

And being met—

Read a third time, as engrossed, the Bill intituled *An Act for the regulation of the Fishery Reserves in this Island*.

Mr. *Palmer* moved that the amendment following be made to the Bill, viz :

To leave out the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth and Tenth Clauses, with the exception of the introductory part of the Preamble, as far as the words “ high-water mark,” and that the following be substituted :—

“ And whereas Twelve of the Original Grants of the Lots or Townships of this Island contain the foregoing Reservations: and whereas Thirty-two of the Original Grants of Townships in this Island contain a reservation as follows, (that is to say)—‘ and further saving and reserving, for ‘ the disposal of His Majesty, his Heirs and ‘ Successors, Five hundred feet from highwater ‘ mark on the coast of the tract of land hereby ‘ granted, to erect stages and other necessary ‘ buildings for carrying on the Fishery;’ and Her most gracious Majesty hath been pleased, by a Despatch bearing date the Fourteenth day of *September* last, to direct that the lands so reserved for the purposes aforesaid shall be thrown open to all Her Majesty’s subjects engaged in the Fisheries of this Island: and whereas but a very small proportion of the said reserves have hitherto been claimed, used or required for the purposes of carrying on a Fishery, and many of them have been unwittingly sold

and leased, with the adjoining lands, by the original Grantees of such Townships, or their Heirs or Assigns, and have also been cleared and cultivated, and Dwelling Houses and other valuable Buildings have been erected thereon, and it is essential to the agricultural interests of this Colony, and indispensable to the commercial pursuits of its inhabitants, that the said Reserves should be used for other purposes than the Fisheries; and it is deemed necessary, for the protection of property, and to prevent litigation and disputes, that the future uses and occupation of the said Reserves should be regulated by Law:—Be it therefore enacted, by the Lieutenant Governor, Council and Assembly, That from and after the passing of this Act, it shall and may be lawful for the Administrator of the Government, by and with the advice and consent of Her Majesty's Council, to appoint Two or more Conservators or Commissioners, residing in each of the Counties of this Island, who shall be Conservators or Commissioners of the Fishery Reserves within such County, and who shall have full power and authority, when and so often as occasion shall require, to enter into, examine, survey and admeasure any and all parts of the said Reserves within their respective Counties, and to adjudicate and proceed in all matters relating thereto, in such form and manner as they may deem requisite and necessary, to enable them to fulfil and discharge their duties by this Act assigned.

2. “And be it further enacted, That the Reservations so made as aforesaid shall extend five hundred feet inland from highwater mark, by a line running parallel with the boundary lines of the Farms fronting on or adjoining to the said reserved land; and where no farms shall be laid off, then by a line running the same distance, at right angles with the general course of the Coast or Gulf, without regard to minute indentations thereof; and the extent of such reserved Lands shall be deemed and taken to be on all those parts of the several Townships containing the same, which abut on the Seashore, and to the distance of One Mile within the Headlands of all Harbours and Rivers on which said Townships may be bounded, and no farther.

3. “And be it further enacted, That in all cases where any person or persons shall be found to have the beneficial occupation of any of the said Reserves, or of any part thereof, by virtue of any Grant, Deed, Lease, or other Conveyance, or shall be otherwise in the *bona fide* pos-

session of any part of the said Reserves, such persons are hereby confirmed in their respective occupations and possessions, in themselves, their heirs and assigns, respectively, (except as is hereinafter excepted,) according to the nature and quality of their respective Titles; but such right of occupation or possession shall nevertheless cease when and as often as their said Titles shall, from time to time, expire, by efflux of time, or otherwise determine, by act of law, or of the parties interested; and the said Reserves, or parts thereof, so occupied and possessed, shall revert to their original purposes.

4. “And be it further enacted, That whenever any person or persons, desirous of obtaining a part of any of the said reserved Lands, for the sole purposes of carrying on a Fishery, shall apply to the Commissioner residing nearest to the site of the said lands, and shall also make and subscribe an affidavit in the form set forth in the Schedule to this Act annexed, before the said Commissioner (who is hereby empowered to administer an Oath for that purpose), the said Commissioner is hereby directed to proceed, without unnecessary delay, to examine the piece or parcel of ground applied for, and forthwith to grant a Certificate, under his hand, stating the name of the person in possession thereof, and describing the boundaries and the area thereof, and whether in a cultivated or wilderness state, and whether the same is well, or any other adjacent piece, is more eligible for the purpose required; and shall cause a true copy of such Certificate to be served on the person in the occupation of the said Land, or at his dwelling house; and upon due application and production of the said Certificate, so signed as aforesaid, it shall and may be lawful for the Governor in Council to grant to the said applicant a Licence to occupy the Land therein mentioned and described, or such less quantity thereof, for such term of years as to the Lieutenant Governor in Council shall seem requisite and necessary: Provided always, that no Certificate shall be given, nor any Licence granted, of any part of the said reserved Lands in this Clause mentioned, so long as such parts shall be occupied by any Dwelling House, Ont House, Mill, Barn, Stable, or any other valuable Building erected thereon, at the passing of this Act, or by any Orchard, Yard, Garden, or Ship Yard, or by any Right of way necessary to have full egress and ingress thereto respectively, and which shall have been held and enjoyed, or used

for such last mentioned purposes at the passing of this Act.

5. "And be it further enacted, That where any person or persons being in the occupation or possession of any of the said reserved Lands in manner mentioned in the Third Section of this Act, shall suffer damage, or be disturbed in or deprived of the possession, profits, or enjoyment of any part of the said Reserves so in his or their *bona fide* possession, by reason of the same being granted by Licence to any other person, nothing in this Act contained shall be construed to deprive such person or persons so aggrieved of any remedy or right of action he or they may have against his or their Landlord, Lessor, Grantor or other person, for or by reason of such damage or disturbance: and in case any such person or persons shall make it appear to the satisfaction of the Lieutenant Governor in Council that without any omission, default or neglect on the part of themselves, or their privies in estate, they have no remedy to obtain compensation for such damage or disturbance, or that such remedy is lost by the continued absence from this Island, or the indigency or other incompetency of the person or persons by law liable for such damage, then, and in every such case, it shall be lawful for the said Commissioner, and he is hereby required, upon request of the party aggrieved, and upon production of the decision of the Governor and Council, to ascertain and appraise the damage so sustained, and award the same upon oath (to be administered by any Justice of the Peace for the said Island); and upon the said award or appraisal being produced to and approved of by the Lieutenant Governor and Council, it shall be lawful for them to order that the amount shall be paid to the party aggrieved, in manner prescribed in the said award or appraisal, out of the public Treasury of this Island.

6. "And be it further enacted, That in all cases where any Grantee or Grantees, his or their Assigns, of any Township lands in this Island, or of the Islands adjacent thereto, shall have sold any of the Reserves as aforesaid, such Grantee or Grantees, his or their Assigns, or their Executors or Administrators, respectively, shall pay into the public Treasury of this Island the amount of all such moneys which he or they shall have received for the purchase of any of the said reserved Lands—the same to be sued for and recovered in the name of Her Majesty, with Costs, by bill, plaint, or information, in the Supreme Court of Judicature of this Island.

7. "And be it further enacted, That in all cases where any person or persons shall or may be, at the passing of this Act, in the possession or occupation of any parts of the lands so reserved, by virtue of any Lease, or other Demise, for any term of years, or any Agreement for a Lease for a term of years, executed or granted by the Grantee, Proprietor, or other Owner of the lands adjoining such last mentioned part of the said reserved land, every such person shall be deemed and taken to be the lessee or tenant of the Crown, and shall henceforth attorn and pay to such person as shall be appointed in the said County by the Lieutenant Governor and Council, so much of the future and accruing rent reserved and payable by any such Lease, Demise or Agreement, as shall arise from or be proportionate to the parts of the said reserved Lands comprised in all and any such Leases, Demises or Agreements respectively, and at such periods as the same would otherwise have become payable to their landlords or lessors; and such attornment and payment by the authority of this Act will be sufficient to preclude and bar any claims or demands by such landlords or lessors to have or receive the same in future; and in case any such person or persons shall neglect or refuse to attorn and pay the aforesaid rent, where the same is payable, according to the true intent and meaning of this Act, then each and every person so neglecting or refusing, shall forfeit all further claim to the possession or enjoyment of the said reserved lands so in their possession or occupation, and the same shall thereupon be subject to be appropriated under the provisions of this Act.

8. "And be it further enacted, That the moneys arising from the last foregoing clause of this Act shall be applied to defray the amount of any compensation awarded to be paid to the tenant or occupier of any of the Reserves, under the provisions of the Fifth Section of this Act, or to such other purposes, connected with the Fisheries of this Island, as the Legislature, with the consent of Her Majesty, may hereafter see fit.

9. "And be it further enacted, That no person or persons shall be deemed to be carrying on a Fishery, unless such person or persons shall keep at least one good and sufficient boat, of not less than sixteen feet keel, properly equipped, and manned with at least three able-bodied men, and shall keep the same exclusively employed, for and during the space of sixty days, between the First day of May and the First day

of October in carrying on the Fishery; and that no person or persons shall occupy more than sixteen feet of the front of the said reserved land for every male person of and over the age of sixteen years, that may be employed by such person or persons in the said Fishery: Provided that nothing in this Act contained shall extend, or be construed to extend, to exclude or prevent any person or persons, owning or occupying the land in the rear of or adjoining to the land reserved as aforesaid, from having a right of way to the shore through the said reserved land.

10. "Provided also, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to prevent any of Her Majesty's subjects, engaged in fishing Mackerel, Herrings or Alewives, from drying his, her or their net or nets, or from curing the Fish so taken on any part of the said reserved land, not being previously occupied for the purpose of carrying on the Fishery.

"SCHEDULE to which this Act refers.

"I A. B. of in County, do make Oath and say, that I am desirous of embarking in the Fishing Trade of this Island, and intend to prosecute the same to such extent as I conceive will entitle me, under the provisions of the Act [*recite Title*] to a Licence from Government, for a certain piece of Fishery Reserve land, situate at on Township No. and fronting on and that I wish to obtain the said piece of Land, *bona fide*, for the sole purpose of carrying on the business of the Fishery, and such uses as are immediately connected therewith, and for no other use or purpose whatsoever.

Sworn at the } A. B.
day of A. D. }
before me," }

The House divided on the question :

YEAS :

| | |
|-------------|-----------------------|
| Mr. Palmer, | Mr. Longworth, |
| Mr. Yeo, | Hon. J. S. Macdonald. |
| Mr. Hudson, | |

NAYS :

| | |
|-------------------|------------------|
| Mr. Fraser, | Mr. Thomson, |
| Mr. Montgomery, | Mr. Macintosh, |
| Mr. Le Lachur, | Mr. Rae, |
| Mr. Arbuckle, | Mr. Gorman, |
| Mr. Forbes, | Mr. J. Dingwell, |
| Mr. Macneill, | Mr. Beck, |
| Mr. Dalziel, | Mr. W. Dingwell, |
| Mr. Clark, | Mr. Macfarlane. |
| Mr. D. Macdonald, | |

So it passed in the negative.

Resolved, That the said Bill do pass.

Ordered, That Mr. Clark do carry the said Bill to the Council, and desire their concurrence.

A Petition of Henry Douglas Morpeth, the Attorney of John Hunter Littler, Lieut. Colonel in the Honorable the East India Company's Service, was presented to the House by Mr. Rae, and the same was received and read, praying to be heard by Counsel at the Bar of the House, and to examine Witnesses, on behalf of the said Lieutenant Colonel Littler, the owner of Mount Stewart Farm, against the prayer of a Petition presented to the House last Session, signed by divers Inhabitants of Townships Thirty-six, Thirty-seven, Thirty-eight and Thirty-nine, praying that no public money may be expended in repairing the present Bridge across the Hillsborough at Mount Stewart, and that a new one may be erected near it, at a place commonly called the Ferry.

The Hon. J. S. Macdonald, from the Committee to whom was referred the Petition presented to the House last Session, of divers Inhabitants of Townships Thirty-six, Thirty-seven, Thirty-eight and Thirty-nine, relative to the dilapidated state of Mount Stewart Bridge, and the necessity of erecting a new one on a different site, presented to the House the Report of the said Committee, which was again read at the Clerk's Table, and is as followeth:—

Your Committee to whom was referred the Petition of the Inhabitants of Townships Numbers 36, 37, 38 and 39, setting forth the ruinous and dilapidated state of Mount Stewart or Red Bank Bridge, and the serious inconvenience that travellers experience from the road leading therefrom, through Mount Stewart Farm, being carried over a very steep hill; and also suggesting that any expenditure of public money towards replacing the Bridge, would be best applied in building a new Bridge at the place known as Mount Stewart Ferry, respectfully report—That three of the Members of your Committee have examined the proposed site at the Ferry, and also the state of the Bridge at the Red Bank, which they found prostrate on the ice; and as it appeared to them that some of the timber might be made available in constructing a new Bridge, or in the repair of the Wharf at the Ferry, they deemed it advisable to cause the said timber to be landed above highwater mark, in order to prevent it from being dispersed and carried away by the ice in the Spring. That they have, by actual admeasurement, ascertained the width of the River, from the outermost edge of the Marsh, at the site of the old Bridge, to the opposite bank, to be 360 feet; and from the outermost edge of the Marsh to highwater mark,

700 feet; and they ascertained that the road formed over this soft Marsh is now settled so low that travellers are unable to pass dry footed at full tides. That they also ascertained the extreme breadth of the River, at the site proposed for a new Bridge at the Ferry, to be 371 feet, and that the soil is firm and level to the margin of the river on each side. That on the North side, at this site, there is a Wharf which extends 107 feet into the river, from the extremity of which to the opposite Bank the width of the river is 264 feet, and its greatest depth at highwater 16 feet, with a hard bottom, which is not the case at the Red Bank site, the firm sub-soil being in some places there ten feet below the surface of the mud. Your Committee are therefore decidedly of opinion, that a new Bridge is indispensable, and that the proper site for such Bridge is at that part of the river known as the Ferry—and if constructed by building a solid abutment of from eighty to ninety feet in length, on the South side of the river, and connected with the Wharf by constructing in the intervening space four Blocks, of square hemlock timber, loaded with stone, the Bridge would be both substantial and durable, and would cost less money than would be required to rebuild the Bridge at the Red Bank site, and would also be the means of avoiding the steep hill complained of by the Petitioners; but your Committee being aware of the magnitude of the undertaking, and of the limited sum available this Session for Roads and Bridges, are of opinion, that it would not be advisable to contract, at this period of the season, for the completion of the Bridge in the ensuing Summer, but would humbly recommend to the House to appropriate this Session the sum of £120 in aid of that necessary object; and that an Address be presented to His Excellency the Lieutenant Governor, respectfully requesting, that he will be pleased, at his earliest convenience, to direct that a Plan and Specification of the Bridge be prepared, and cause

Tenders to be procured and a Contract to be entered into, for the erection of the Abutment on each side on or before the 1st of October next, and for the completion of the Bridge on or before the 1st day of August, 1840; and that the House do pledge itself, that it will, next Session, appropriate such further sum as may be required for the fulfilment of the contract; and that His Excellency will also be pleased to cause a Road to be opened under the provisions of the Road Compensation Act, in a direct line from the site of the Bridge to the road leading across Mount Stewart farm. The opening of this road your Committee deem highly necessary for the convenience of the inhabitants during the absence of a bridge, and are of opinion that the compensation for a right of way will be moderate, as, in the event of the new Bridge being erected at the site recommended, the present road, which runs 43 chains through Mount Stewart Farm, will be no longer required by the public, and would consequently be surrendered to the proprietor of that property.

Ordered, That the Report be received; and further,

Ordered, That the said Report be taken into consideration on Thursday next.

Ordered, That this House will hear Henry Douglas Morpeth, by his Counsel, at the Bar of the House, on Thursday next, against the prayer of the Petition of divers Inhabitants of Townships Thirty-six, Thirty-seven, Thirty-eight and Thirty-nine, relative to the Bridge and Road referred to in the above Report.

Then the House adjourned until to-morrow, at Eleven o'clock.

TUESDAY, March 19, 1839.

THE Order of the Day, for the House in Committee on the Bill for regulating the forfeiture of Lands and settlement of the Inhabitants of this Island, being read;

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. D. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had made some progress, and had directed him to move for leave to sit again—which the House agreed to.

Then the House adjourned for one hour.

And being met—

Resolved, That this House do now resolve itself into a Committee of the whole House, on the further consideration of the Bill for regulating the forfeiture of Lands and settlement of the Inhabitants of this Island.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. D. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again to-morrow.

A motion being made, that the Report of the Committee appointed last Session to inquire whether any and what unclaimed moneys are now in the Treasury, arising out of the sales of Lots in Georgetown, under the Act 6 Will. 4, cap. 2, to provide against accidents by Fire, and for the improvement of property at Georgetown, be now read;

It was carried in the affirmative.

And the same being read—

A motion was made, that the said Report be agreed to;

The House divided on the question :

YEAS 12.

NAYS 9.

So it was carried in the affirmative.

Then the House adjourned until to-morrow, at Eleven o'clock.

WEDNESDAY, March 20, 1839.

THE Order of the Day, for the House in Committee on the further consideration of the Bill for regulating the forfeiture of Lands and the settlement of the Inhabitants of this Island, being read;

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. D. Maedonald took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had made some progress, and had directed him to move for leave to sit again—which the House agreed to.

Then the House adjourned for one hour.

And being met—

A Petition of divers Inhabitants of Princetown Royalty was presented to the House by the Hon. Mr. *Pope*, and the same was received and read; setting forth—that Petitioners having learned with surprise that a Petition from that quarter had been presented to the House, praying for Legislative aid towards the support of a School taught by Alexander Rae, A. M. in that Royalty; that it having been found necessary, from the dilapidated state of the old School-house, to erect a new one, a public meeting of the Inhabitants was convened, when it was determined, by a large majority, that it should be erected on the same Lot with the old one; that Petitioners having gone to a very considerable expence in erecting a large and commodious

building, adapted for the whole Royalty, on the Church Lot, they humbly submit, that, on reference to a Plan of the Royalty, the House will agree with them, that from the central situation of the present School-house, there exists no necessity for establishing another—and praying that the present School Act may be left to its operation, as far as regards the said Royalty.

Ordered, That the said Petition be referred to the Committee appointed to inquire into the expediency of altering and amending the Act for the encouragement and support of District and other Schools.

Resolved, That a Supply be granted to Her Majesty.

Mr. *Le Lacheur*, from the Committee to whom was referred the Petition of divers Inhabitants of Murray Harbour, White Sands, Wood Islands, and adjacent Settlements, for an alteration in the mode of forwarding the Inland Mail; and also a Petition of divers Inhabitants of Indian River, Oyster Cove and Shipyard, on the same subject, presented to the House the Report of the said Committee; which Report was again read at the Clerk's Table, and is as followeth:

Your Committee having maturely considered the subject to them referred, are of opinion, that it is highly expedient to extend the line of the Mail from Pinette to the South side of Murray Harbour, through Flat River; and that Receiving Offices be established at Wood Islands, Flat River and White Sands.

Your Committee likewise suggest, that the Mail Carrier to Princetown be directed to call at some convenient

house, at or near the turn of the Indian River and Oyster Cove Road, on his route either to or from Princetown, as the additional distance does not exceed three-quarters of a mile, and by the proposed alteration, a populous settlement would, in this department, receive a material accommodation.

Ordered, That the said Report be referred to a Committee of the whole House to-morrow.

Resolved, That this House do now resolve itself into a Committee of the whole House, on the further consideration of the Bill for regulating the forfeiture of Lands and settlement of the Inhabitants of this Island.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. D. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again on Friday next.

Ordered, That Mr. Yeo have leave to absent himself from this House until Saturday next.

Then the House adjourned until to-morrow at Ten o'clock.

THURSDAY, March 21, 1839.

THE Order of the Day, for taking into consideration the Report of the Special Committee on the subject of altering the site of Mount Stewart Bridge, being read;

Ordered, That the said Report be now committed to a Committee of the whole House.

Ordered, That Henry D. Morpeth be heard by Counsel, against the prayer of the Petition of the Inhabitants of Townships Thirty-six, Thirty-seven, Thirty-eight and Thirty-nine, relative to the said Bridge, before the said Committee.

And then the House resolved itself into the said Committee.

Mr. Speaker left the Chair.

Hon. J. S. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had made some progress, and had directed him to move for leave to sit again—which the House agreed to.

Mr. Rae, from the Committee appointed to inquire into the Grievances which have agitated this Colony for some time past, with leave to report, from time to time, by Bills or otherwise, presented a Bill for the relief of the Loyal American Emigrants and disbanded Troops, and the same was read the first time.

Ordered, That the said Bill be read a second time on Saturday next.

Then the House adjourned for one hour.

And being met—

Resolved, That this House do now resolve itself into a Committee of the whole House, on the further consideration of the Report of the Special Committee on the subject of altering the site of Mount Stewart Bridge.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Hon. J. S. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Hon. J. S. Macdonald reported, that the Committee had come to three Resolutions; which Resolutions being again read at the Clerk's Table, were, upon the question being separately put upon each, agreed to by the House, and are as follow:

1. **RESOLVED**, That it is expedient that instead of rebuilding the Bridge at Mount Stewart on its former site, that a new Bridge be erected lower down the River, at the place commonly called Mount Stewart Ferry.

2. **RESOLVED**, That it is the opinion of this Committee, that an humble Address be presented to His Excellency, praying that he will be pleased, at his earliest convenience, to direct that a Plan and Specification of a new Bridge over the Hillsborough, at the Ferry opposite Mount Stewart, be procured, and a Contract entered into for the erection of the abutments on each side of the River on or before the First of October next, and for the erection and completion of the Bridge on or before the First day of August, 1840—and that His Excellency in Council will be pleased

to cause a Road to be laid out, under the Road Compensation Act, in the most eligible course for the public, from said Bridge to the main Road.

3. **RESOLVED**, That it be recommended to the House, when in Supply, to appropriate the sum of £120, towards the erection of a Bridge at Mount Stewart Ferry.

Ordered, That the Hon. *J. S. Macdonald*, Mr. *Palmer* and Mr. *Le Lacheur* be a Committee to prepare and report the draught of an Address to His Excellency the Lieutenant Governor, in accordance with the above reported Resolutions.

The Order of the Day, for the House in Committee on the Report of the Special Committee, to whom was referred the several Petitions on the subject of the Inland Mail, being read;

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. *Le Lacheur* took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. *Le Lacheur* reported, that the Committee had gone through the Report of the Special Committee, paragraph by paragraph, and had made the following amendment thereto:

"Your Committee would also recommend, that the Inland Mail be forwarded to Hillstown,

Cascumpeque, and from thence to Tignish; and that it be also forwarded to Higgins's, on Township Fifteen.

"Your Committee would further recommend, that the Carrier to East Point and Bay Fortune be directed to carry the Mail into the settlement of Bay Fortune, or the Red-house, instead of leaving it at Dingwell's Mill, as formerly.

"Your Committee further recommend, that a Receiving Office be established on the Eastern route, in a central situation, between St. Peter's and St. Margaret's, and are of opinion that Goose River is the most eligible place for that purpose."

Ordered, That the Report of the Committee be agreed to.

Ordered, That Mr. *Le Lacheur*, Mr. *Arbuckle* and the Hon. Mr. *Pope* be a Committee, to prepare and report the draught of an Address to His Excellency the Lieutenant Governor, in accordance with the said Report.

Resolved, That this House will, to-morrow, resolve itself into a Committee of the whole House, on the consideration of Supplies for the public service.

Then the House adjourned until to-morrow, at Eleven o'clock.

FRIDAY, March 22, 1839.

MR. LE LACHEUR, from the Committee appointed to prepare and report the draught of an Address to His Excellency the Lieutenant Governor, on the subject of the Inland Mail, presented the draught of an Address, as prepared by the Committee; and the said draught Address being again read at the Clerk's Table, was agreed to by the House, and is as followeth:

To His Excellency Sir CHARLES AUGUSTUS FITZ ROY, K. H., Lieutenant Governor and Commander-in-Chief in and over Her Majesty's Island Prince Edward, and its Dependencies, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

May it please your Excellency;

The House of Assembly beg leave to state to your Excellency, that, in consequence of several applications, by Petitions, having been made to them, for extending Inland communication by Post, they have agreed to adopt the arrangements stated in the annexed Report; and should your Excel-

lency be pleased to approve of the proposed extension of the transmission of the Mail, and the establishment of Post Offices in the respective Settlements mentioned in the said Report, the House of Assembly will make adequate provision for defraying the expenses incurred thereby.

Ordered, That the said Address be engrossed.

Ordered, That the Committee who prepared the Address be a Committee to wait upon His Excellency with the same.

Two Messages from His Excellency the Lieutenant Governor.

Mr. Secretary Collins, by command of His Excellency, delivered the following Messages:

First Message:

CHARLES A. FITZ ROY, Lt. Governor.

The Lieutenant Governor lays before the House of Assembly the Estimates for the Services of the current year. Accompanying them is a Petition from the Inhabi-

tants of Cascumpeque and vicinity, praying to have a Post Office established in that District; and the Lieutenant Governor recommends the House to make such addition to the Estimate for the Inland Mails as they may think sufficient to enable him to give effect to the prayer of the Memorial.

Government House, 21st March, 1839.

ESTIMATES for the SERVICE of the YEAR 1839.

Salaries and Allowances fixed by Statute.

| | | | |
|--|------|---|---|
| Treasurer, - - - | 500 | 0 | 0 |
| Collector of Impost of Charlottetown, - | 260 | 0 | 0 |
| Ditto Ditto, allowance for Clerk and Office Rent, - - - | 40 | 0 | 0 |
| 4 Sub-Collectors of Customs, at £40, - | 160 | 0 | 0 |
| Travelling allowance to Chief Justice, - | 100 | 0 | 0 |
| 2 Masters of Central Academy, at £150, - | 300 | 0 | 0 |
| District Schools, including Salary of Visiter, and of Secretary of Board of Education, Allowance to St. Andrew's College, and to Acadian Teachers, - | 1000 | 0 | 0 |
| Steamboat, under Act 6 Will. 4, cap. 11, - | 500 | 0 | 0 |
| 16 Road Commissioners, at £10, - | 160 | 0 | 0 |
| Adjutant General and Sub-Inspector of Militia, - | 75 | 0 | 0 |
| Wharfinger, - - - | 30 | 0 | 0 |
| Allowance to Protectors of Fisheries, - | 36 | 0 | 0 |
| Bounties on Vessels engaged in the Fisheries, 2d Vict. cap. 6, - - - | 200 | 0 | 0 |

Salaries and Allowances fixed by Statute.

| | | | |
|---|----|---|---|
| 3 High Sheriffs, - - - | 60 | 0 | 0 |
| Master of the National School, - - - | 25 | 0 | 0 |
| Market Clerk, - - - | 40 | 0 | 0 |
| Messenger of Executive Council, Crier of Supreme Court, and Tipstaff in Chancery, - | 40 | 0 | 0 |
| Jailer, Queen's County, - - - | 40 | 0 | 0 |
| Ditto, King's Ditto, - - - | 30 | 0 | 0 |
| Ditto, Prince Ditto, - - - | 30 | 0 | 0 |
| Assayer of Weights and Measures, Queen's County, - - - | 10 | 0 | 0 |
| Medical Attendant on Jail, Charlottetown, - | 10 | 0 | 0 |
| Correspondence with Road Commissioners, - | 30 | 0 | 0 |
| Post Mistress, for management of Inland Mails, for past year, - - - | 20 | 0 | 0 |
| Matron to Queen's County Jail, - | 15 | 0 | 0 |

Contingent Expenses of Government.

| | | | |
|---|-----|---|---|
| Roads and Bridges (see Message), - | | | |
| Incidental Repairs of Ditto, - | | | |
| Premiums for killing Bears and Loupcerviers, - | 40 | 0 | 0 |
| Sheriff's expenses, for the Jails of King's, Queen's and Prince Counties, - | 200 | 0 | 0 |
| Fuel and Bread for three Jails, - | 100 | 0 | 0 |
| Commissioners for issuing Treasury Notes, - | 30 | 0 | 0 |
| Colonial Secretary's Fees, - | 130 | 0 | 0 |
| Clerk of the Council's do. - - - | 130 | 0 | 0 |
| Crown Prosecutions, including Fees of Crown Officers, &c. - - - | 450 | 0 | 0 |

| | | | |
|--|------|---|---|
| Crown Officers' Fees, for other services, - | 50 | 0 | 0 |
| Winter Mails, - - - | 150 | 0 | 0 |
| Inland Mails, - - - | 210 | 0 | 0 |
| Public Printing and Stationery, - | 250 | 0 | 0 |
| Lunatics and indigent persons, - | | | |
| Notes to be cancelled, - - - | 1000 | 0 | 0 |
| Interest on Warrants, - - - | 350 | 0 | 0 |
| Expenses of Quarantine, should the same be required, - - - | 100 | 0 | 0 |
| Plans and Estimates of Public Works, - | 20 | 0 | 0 |
| Buoys and Beacons, - - - | 250 | 0 | 0 |
| Contingencies, - - - | 250 | 0 | 0 |

Expenses of the last and present Sessions of the Legislature.

| | | | |
|----------------------------|--|--|--|
| Legislative Council, - - - | | | |
| House of Assembly, - - - | | | |

Miscellaneous.

| | | | |
|--|-----|----|---|
| Assessment on Government Pews, - | 7 | 0 | 0 |
| Excess of Expenditure on Government House, unprovided for, - - - | 329 | 4 | 5 |
| Probable Expenses of a Building required at the back of the Farm Yard, Government House, and sundry repairs of Barn, Stables, &c.—Also, of a Shed required in the Court Yard at the House, as a place of safety for the double windows, stoves and stovepipes—of a Breastwork, and Well in the Kitchen Garden, and casual repairs, - - - | 154 | 16 | 0 |

Second Message:

CHAS. A. FITZ ROY, Lt. Governor.

The Lieutenant Governor lays before the House of Assembly the Returns of Statute Labour for the past year, together with the Reports of the Commissioners of the state of the Roads and Bridges in their several Districts.—Also, an account of the application of the amount appropriated for this service last Session; and the Lieutenant Governor leaves it to the House to vote such a sum for the services of Roads and Bridges for the present year as they may feel the resources of the country to justify.

Accompanying these documents are two Petitions, one for a Road from Cape Traverse Settlement to the Shore, the other for a Road from John Mutart's to Robert Forrest's, Lot 28; and the Lieutenant Governor recommends the House to vote the compensation to the owners of the land through which these roads must pass, as agreed upon between the parties and the Commissioner of the District.

Government House, 21st March, 1839.

Mr. Secretary Collins also presented to the House the Documents referred to in the foregoing Messages.

Then the House adjourned for one hour.

And being met—

Ordered, That the Order of the Day, for the House in Committee on the further consideration of the Bill for regulating the forfeiture of Lands and settlement of the Inhabitants of this Island, be now read ;

And the same being read ;

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. D. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. D. Macdonald reported, that the Committee had gone through the Bill, and had made several amendments thereto.

A motion being made, that the Report of the Committee be agreed to :

The House divided :

YEAS :

| | |
|------------------|-------------------|
| Mr. W. Dingwell, | Mr. Gorman, |
| Mr. Forbes, | Mr. J. Dingwell, |
| Mr. Macneill, | Mr. Le Lacheur, |
| Mr. Dalziel, | Mr. Macfarlane, |
| Mr. Thomson, | Mr. D. Macdonald, |
| Mr. Arbuckle, | Mr. Macintosh, |
| Mr. Fraser, | Mr. Beck. |
| Mr. Montgomery, | |

NAYS :

| | |
|----------------|-----------------------|
| Mr. Longworth, | Hon. J. S. Macdonald, |
| Hon. Mr. Pope, | Mr. Hudson. |
| Mr. Palmer, | |

So it was carried in the affirmative.

Ordered, That the said Bill be engrossed, and that the Title be *An Act to regulate the forfeiture of Lands and the settlement of the Inhabitants of this Island.*

The Order of the Day, for the House in Committee on the consideration of Supplies for the public service, being read ;

Ordered, That the Messages received this day from His Excellency the Lieutenant Governor, with the accompanying Documents, be referred to the said Committee.

And then the House resolved itself into the said Committee.

Mr. Speaker left the Chair.

Hon. J. S. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again to-morrow.

Then the House adjourned until to-morrow, at Eleven o'clock.

SATURDAY, March 23, 1839.

THE Bill for the relief of certain American Loyal Emigrants and disbanded Troops in this Island, was, according to order, read a second time.

Ordered, That the said Bill be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Fraser took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had made some progress, and had directed him to move for leave to sit again—which the House agreed to.

Then the House adjourned for one hour.

And being met—

A Petition of the Trustees of the Princetown Upper School was (with the consent of His Excellency the Lieutenant Governor, that the House may proceed thereon as they shall think fit) presented to the House by Mr. Montgomery, and the same was received and read—praying for Legislative aid on behalf of the said School, either by an alteration in the present School Act, or otherwise.

Ordered, That the said Petition be referred to the Committee appointed to inquire into the expediency of amending the Act for the encouragement and support of District and other Schools.

Resolved, That this House do now resolve itself into a Committee of the whole House, on

the further consideration of the Bill for the relief of certain American Loyalists and disbanded Troops in this Island.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Fraser took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again on Monday next.

Mr. *Le Lacheur*, from the Committee appointed to wait upon His Excellency the Lieutenant Governor, with the Address on the subject of the Inland Mail, reported to the House that their Address had been presented to His Excellency, and that he was pleased to say, that he would attend to the suggestions of the House.

Mr. *Rae*, from the Committee appointed to inquire into the expediency of amending the Act for the encouragement and support of District and other Schools, presented to the House the Report of the Committee; which Report was again read at the Clerk's Table, and is as followeth:

Your Committee beg leave to state, that great changes appear to be requisite, both in the Legislative enactments regarding, and provisions in favour of Education, and also on the conventional arrangements between the supporters of Schools, and between such supporters as a body and the teachers. But as those changes cannot be brought about without the general co-operation of the inhabitants, and as, on many important parts of this matter, the mass of the community have not yet expressed their final opinion, your Committee respectfully recommend that a Bill, comprehending all those changes which, having been agitated amongst the constituency, appear to be thought worthy of the special consideration of all the inhabitants, be drawn up and published in the newspapers. Your Committee further submit, that the present Act be forthwith changed, so far as the general will of the majority has been clearly expressed; and these changes appear to your Committee to be—

1st. The appointment of a Third Class of Teachers, for whom it shall be a sufficient qualification that they have a competent knowledge of reading, writing and arithmetic, including fractions and book-keeping by single entry. That the Legislative aid to such Teachers be £7 per

annum, and that no particular amount of subscription should be required. That in regard to the 18th clause, the complaints of the unnecessary trouble and expence which it imposes on Teachers, are universal; and your Committee respectfully submit, that every requisite guarantee against misapplication of the public money would be attained, by requiring the Teacher to transmit to the Board—1st, a copy of the original agreement made by him, or on his behalf, with the subscribers, with his Affidavit thereto. 2d. A certificate by the Trustees (or if none shall have been appointed, by a majority of the subscribers) stating that the requisitions of the Act, in regard to the amount of salary, the sufficiency of the school-room, and the quarterly examination by the trustees (or by subscribers, if no trustees shall have been appointed,) have been complied with, and also testifying his good conduct, attention and sobriety. That such certificate shall subsequently be signed by such Justices of the Peace or Commissioners of Small Debts as reside within miles of such school, or by such Clergymen as reside within miles thereof. That thereon the Secretary to the Board of Education shall, within fourteen days after receipt thereof, transmit a certificate to the Colonial Secretary, in which, after specifying the class to which the teacher belongs, he shall testify that he has received these documents, and that he knows no reason to doubt their authenticity, or the correctness of the statements therein contained; and that a certificate by said Secretary, and the accompanying documents, shall be laid before the Executive Council at their first meeting, and if not found incorrect, that the Colonial Secretary shall issue a Warrant on the Treasurer for the amount.

And in regard to the £40 granted "*to deserving Teachers amongst the Acadians*:"

Your Committee submit that, considering the proportion which that race has to the other inhabitants, an allowance so inconsiderable does appear invidious; and they recommend that the Teachers amongst the Acadian French should be on precisely the same footing as Teachers in other Districts, with this difference, that the certificate of the Clergyman who has the spiritual cure of the subscribers to such Acadian French School, should be sufficient, both as regards the qualifications of the Teacher, and all the other requisitions of the Act, antecedent to the transmission of the certificate to the Secretary of the Board. But that in every such instance, such certificate should entitle the Teacher only to the lowest allowance.

In regard to the Visiter's salary, your Committee are aware that were an uniform system of Education adopted in the Island, and were its monetary matters in a more flourishing condition, such an appropriation of public money might be supported; but that at present, it is advisable to discontinue the Salary; while they so do they have to remark, that it is the cost of the office to which they object, and not to the conduct of the individual who fills the situation.

Your Committee further submit, that the 12th clause, regarding School-houses, should be so expressed as not to admit of the interpretation of prohibiting public meetings being held therein, with the consent of a majority of the Subscribers, and prior to or after the regular school hours.

23d. Also, that as the Spring and Fall vacations must be chiefly valuable to the Teachers, by enabling them to engage in some measure in agricultural pursuits, the advantage they may derive therefrom would probably be increased, by allowing the same, with the consent of the Trustees, to be taken—the Spring vacation in May or June, and the Fall vacation in September or October.

24th. In regard to the advance of public money for the purchase of books, your Committee not having received any account of the importations and sales thereof, cannot speak as to whether or not the same has been productive of any beneficial result; it would, however, appear necessary, or at least according to custom, to provide for the same being refunded when no longer required for these purposes, and that in the meantime an account be required.

26th Clause. In reference to this clause, it would appear necessary to make some change in the wording thereof; for though the marginal notes declare that second and third class teachers, who have been found qualified, shall not be required to submit to a second examination, and though the body of the clause will admit of that meaning, and scarcely of any other, yet the Board of Education has interpreted the clause in a contrary manner. Your Committee submit, that the making it imperative on the teachers who have already passed for any class, and especially for the higher classes, to submit to repeated examinations, gives room either to suppose that the former decisions of the Board were unsatisfactory, or that it is purposed to give to certain individuals, appointed by the Executive, an influence over the teachers in matters which regard neither their morals nor their capability; and that every such attempt to control opinion must tend to disgust liberal men with so necessary an occupation, which, by the circumstances of the country, being far from lucrative, should be protected from any unmerited influential insult.

In reference to the Petition from Princetown and Royalty, your Committee have to observe, that they have inquired into the number of the subscribers who are house-

holders in the Town and Royalty, and have referred to the Report of the Visiter, and the plan of the Royalty; and they respectfully submit, that the provision for Ten Pounds additional to a second class teacher be withdrawn—that the Royalty requires two Schools—that as the one at the Cross Roads, on the base line, taught by Alexander Rae, appears by the Visiter's Report to be not only well conducted, but to be attended by a greater number of pupils than the generality of District Schools, the Teacher there should receive Legislative aid, and with such view that the Petition of the subscribers to said School be referred to the Committee of Supply, both for this and the preceding year.

In reference to the other School, the same should also receive aid, but that its location should be determined by a majority of the householders in the Royalty; and on referring to the Census, they find that the Petition last presented to the House does not contain the names of any thing like a majority of the householders. They have further to observe, that though the last Petition objects to any removal from a place, because that during forty years a School has been maintained in the same place, the assertion is unfounded, inasmuch as the very building was within the last 25 or 26 years moved a distance of $1\frac{1}{2}$ mile from that part of the Royalty, nigh which the School first above referred to is situate.

In regard to the Petition of P. B. Doyle, your Committee, though aware that many of the residents in Charlottetown do not think it advisable to send their children to the Central Academy, yet, considering that the School taught by the Petitioner, and that taught by Mr. Breeding, receive Legislative aid, cannot recommend that any additional aid should be given to the petitioner. They however recommend, that the allowance to the said Mr. Breeding should be no more than would be allowed to a District Schoolmaster of the present first or lowest class—there being, as your Committee are informed, independent of these two Elementary Schools, two other Elementary Schools taught by Females, receiving Legislative aid.

Ordered, That the said Report be referred to a Committee of the whole House on Tuesday next.

Then the House adjourned until Monday next, at Eleven o'clock.

MONDAY, March 25, 1839.

THE Order of the Day, for the House in Committee on the further consideration of the Bill for the relief of certain Loyal American Emigrants and disbanded Troops in this Colony, being read;

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Fraser took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Fraser reported, that the Committee had gone through the Bill, and had made several amendments thereto; which amendments were

again read at the Clerk's Table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed, and that the Title be *An Act for the relief of certain of the American Loyalists and disbanded Provincial Troops, and their Representatives*.

Then the House adjourned for one hour.

And being met—

Ordered, That the Order of the Day, for the House in Committee to consider further of a Supply, be now read;

And the same being read;

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Hon. J. S. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had made some progress, and had directed him to move for leave to sit again—which the House agreed to.

Mr. *Palmer*, from the Committee to whom was referred several Petitions from and on behalf of persons labouring under bodily and mental infirmities, presented to the House the Report of the said Committee; which Report was again read at the Clerk's Table, and is as followeth:

Your Committee having maturely considered the subject to them referred, are of opinion that the Petitioners and others for whom aid is solicited, be relieved to the extent of the sums respectively attached to their names in the following scale:

Prince County.

| | | | | | |
|----------------------------|---|---|----|---|---|
| Daniel Quigley, the sum of | - | - | £5 | 0 | 0 |
| Mary Hickey, " " | - | - | 3 | 0 | 0 |
| James Inglis, " " | - | - | 3 | 0 | 0 |

Queen's County.

| | | | | | |
|----------------------------|---|---|---|----|---|
| Joanna Redmond's daughter, | - | - | 5 | 0 | 0 |
| James Conway, | - | - | 6 | 0 | 0 |
| Charles Russell, | - | - | 5 | 0 | 0 |
| John Ready, | - | - | 5 | 0 | 0 |
| Mary Macleod, | - | - | 3 | 0 | 0 |
| Rosanna Mitchell, | - | - | 2 | 10 | 0 |
| James Maddox, | - | - | 8 | 0 | 0 |

| | | | | | |
|---------------------------------|---|---|----|---|---|
| Ann Trueguard, | - | - | 5 | 0 | 0 |
| Nancy Kielly (for her husband), | - | - | 3 | 0 | 0 |
| Archibald M'Niven, | - | - | 5 | 0 | 0 |
| Mary Macaulay, | - | - | 10 | 0 | 0 |
| James Jackson, | - | - | 10 | 0 | 0 |
| Margaret Finlayson, | - | - | 8 | 0 | 0 |
| Christiana Macphee, | - | - | 3 | 0 | 0 |
| Malcolm Macleod, | - | - | 10 | 0 | 0 |
| John Macnamara, | - | - | 5 | 0 | 0 |

King's County.

| | | | | | |
|----------------------------------|---|---|---|----|---|
| Thomas Devereux, | - | - | 4 | 0 | 0 |
| Margaret Campbell (for her son), | - | - | 5 | 0 | 0 |
| William Johnston, | - | - | 5 | 0 | 0 |
| Elizabeth Brown, | - | - | 2 | 10 | 0 |
| John Smith, | - | - | 3 | 0 | 0 |
| Elizabeth Patience, | - | - | 3 | 0 | 0 |
| Angus M'Killoe, | - | - | 3 | 0 | 0 |
| Christiana Maceachern, | - | - | 3 | 0 | 0 |

Your Committee are of opinion, that it is inexpedient to grant the prayer of the Petitions from or on behalf of the following persons, viz:

Nancy M'Gillivray, of Township No. 44.

Hector Macniven, of Township No. 30.

John Currie, of Township No. 50.

Maria Fair, of Township No. 50.

John Burns, of Township No. 35.

Peter Creamer, of Charlottetown.

Elizabeth Chaffy, of Grand River, King's County.

Donald Maclauchlan, of Township No. 34.

All of which is respectfully submitted.

Ordered, That the said Report be referred to the Committee of Supply.

Resolved, That this House do now resolve itself into a Committee of the whole House, to consider further of a Supply.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Hon. J. S. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again to-morrow.

Then the House adjourned until to-morrow, at Eleven o'clock.

TUESDAY, March 26, 1839.

THE Hon. J. S. Macdonald, from the Committee appointed to prepare the draught of an Address to His Excellency the Lieutenant Governor, on the subject of the Mount Stewart Bridge, presented to the House the draught of an Address, as prepared by the Committee, which said draught Address being again read at the Clerk's Table, was agreed to by the House, and is as followeth:—

To His Excellency Sir CHARLES AUGUSTUS FITZ ROY, K. H., Lieutenant Governor and Commander-in-Chief in and over Her Majesty's Island Prince Edward, and its Dependencies, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

May it please your Excellency;

The Committee of the House of Assembly to whom was referred the Petition of the Inhabitants of Townships Numbers 36, 37, 38 and 39, praying that a Bridge may be erected over the Hillsborough, at the place known as Mount Stewart Ferry, having submitted the accompanying Report, and the House having unanimously adopted the same, would respectfully request your Excellency to cause the measures recommended in the said Report to be carried into effect.

Ordered, That the said Address be engrossed.

Ordered, That the Committee who prepared the Address be a Committee to wait upon His Excellency with the same.

The Order of the Day, for the House in Committee to consider the Report of the Special Committee appointed to inquire into the expediency of amending the Act for the encouragement and support of District and other Schools, being read;

The Hon. Mr. Pope moved that the said Order of the Day be discharged, and made the Order of the Day for this day three months.

The House divided on the question:

YEAS, 9.

NAYS, 12.

So it passed in the negative.

And then the House resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Thomson took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thomson reported, that the Committee had come to several Resolutions, which he was directed to submit to the House whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Then the House adjourned for one hour.

And being met—

The Order of the Day, for the House in Committee to consider further of a Supply, being read;

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Hon. J. S. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again to-morrow.

Resolved, That this House will, to-morrow, resolve itself into a Committee of the whole House, to consider of Ways and Means.

Then the House adjourned until to-morrow, at Eleven o'clock.

WEDNESDAY, March 27, 1839.

MR. RAE, from the Committee appointed to inquire into the probable expence of establishing and maintaining Buoys and Beacons at the principal harbours in this Island, presented to the House the Report of the said

Committee; which Report was again read at the Clerk's Table, and is as followeth:

The Committee appointed to inquire into the probable expence of establishing and maintaining Buoys and Beacons at the different harbours of this Island, and into the

amount of funds now at the disposal of the Legislature for these purposes, respectfully submit—

That for this year there be appropriated the sum of One hundred and fifty Pounds, to be divided among the Counties according to the amount respectively collected therein—that is, one half of the above to Queen's County, and the remaining £75 to be equally divided between King's and Prince Counties.

That two different plans of Buoy will probably be adopted, the opinions of British Masters of Vessels being in favour of the kind of Buoy used in Britain, and in most parts of Europe, while the other is recommended by its apparent adaptation to the purpose, and by the judgment of several residents in Prince and King's Counties, conversant with and interested in the maritime business of this Colony—of which last plan a specification is annexed, shewing that the expence of the same is only one-fifth to one-eighth of the estimated expence of the kind of Buoy first mentioned. The judgments in favour of the superiority of this plan, both as regards the distance at which such Buoy can be seen, the small expence requisite for constructing the same, and their durability, appear to the Representatives of King's and Prince Counties, Members of this Committee, clearly to warrant that certain harbours of this Island should be buoyed in that manner.

Your Committee further submit, that it appears advisable that individuals well acquainted with such matters should be authorized to receive tenders for laying down and maintaining Buoy for three consecutive seasons, the tenders to state the cost of the Buoy and the charge per season, for maintaining the same—the Buoy to be laid down every season in presence of one of the established pilots of the harbour, who should be bound (for a certain specific remuneration), to attend at the annual laying down of such Buoy. That the cost of the Buoy should be paid, on a certificate being produced to the Council that same has been done; the annual charge to be paid on a similar certificate, that the Buoy have been laid down at the opening of the navigation, and maintained till the close of the navigation that year. That the person whose tender may be accepted, shall forthwith find security, in double the amount of the tender, for the performance of the contract. That the Buoy and Beacons become the property of the public at the close of the third season, the tender specifying that the Buoy, Chains and Moorings shall be delivered on the shores of the several harbours, at such place as may be specified in the contract.

In reference to the letter of Lord C. Paget, as to making Charlottetown Harbour the rendezvous for British vessels of war on these coasts, the Committee are of opinion, that the facility of entrance, the length of time it remains open after all other harbours are shut up, and the readiness with which British men of war, issuing thence, can traverse those parts of the Gulf where hostile ships would probably be cruising, recommend to the most serious consideration of those who desire that in case of war our traffic with the

neighbouring Colonies should be maintained, and that our coasts should be free from privateering visits, the endeavouring to get such Naval Station established at Georgetown. They submit, that whatever kind of Buoy naval Commanders may think requisite, the expence of establishing the same at Georgetown will be less than at Charlottetown. They also respectfully recommend, that it would appear advisable to submit to the proper authorities a correct description of both harbours—of the mode of laying down Buoy which appeared advisable in this country—and then, after these authorities shall have determined on the harbour most eligible for a rendezvous, to appropriate what might be requisite (if any) for such Buoy and Beacons as they might think necessary.

Your Committee further submit, that in putting down Buoy and erecting Beacons, it would appear advisable, that the Buoy and Beacons laid down at present should be no more than may be necessary for enabling strangers to the harbour to enter safely to mooring ground; and further, that to this extent it would appear preferable, that a few harbours should be completely furnished with Buoy and Beacons, than that the whole should be partially provided, as such partial provision might lead a stranger into damage.

Your Committee submit, that a great number of American fishing vessels frequent the principal harbours of this Island, and that it appears advisable to Address his Excellency, requesting him to appoint, at the principal harbours, competent individuals to collect from these vessels moderate harbour dues.

SPECIFICATION.

For 4 to 5 feet water, a spar 25 to 30 feet long, moored by a three quarter inch chain, six to eight feet long, to a stone proportionate to the weight of the spar, so that six feet of the spar may be over the water at highwater, and so in proportion for a less depth of water, one-third of the smaller end of the spar to be tapered off, so as at three-quarters of its length (from the butt) to be only five inches through, and thence gradually tapered to the upper extremity—on which is to be fixed a keg of at least fifteen inches long, painted with stripes or streaks of black and white—should this be liable to partial submersion in heavy storms, an additional buoyancy might be given, by a small frame fixed to the spar nigh the place where the same rises to the level of highwater. The estimated expence of such a buoy in six fathoms of water is from Four to Six Pounds—while that of a buoy constructed as in Britain would, in a similar situation, be from £30 to £40.

And that for sustaining the Report, the Committee divided as follows:

YEAS:

Mr. *Le Lacheur*,
Mr. *W. Dingwell*,
Mr. *Thomson*,
Mr. *Montgomery*,
Mr. *Rae*.

NAYS:

Mr. *Palmer*,
Hon. Mr. *Pope*.

Ordered, That the said Report be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. D. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. D. Macdonald reported, that the Committee had come to a Resolution; which Resolution was again read at the Clerk's Table, and is as followeth:

Resolved, That it is the opinion of this Committee, that a Bill be brought in to authorize the laying down and maintaining of Buoys and the establishment of Beacons at certain of the Harbours in this Island, and to provide for the survey of the harbours of Three Rivers and Charlottetown.

Mr. Palmer moved, in amendment of the said Resolution, that after the word "Island," all be struck out, and the following substituted:

"And also, that it is expedient that a proper survey, to be performed by skilful and competent persons, be made of the entrance of the Harbour of Charlottetown, in order to denote the proper positions to set down Buoys, where it may appear to such persons necessary, to afford every accommodation and protection to shipping, and to hold out every inducement to obtain the advantages which this Island would derive from the said Harbour being made a rendezvous for such Ships of the British Navy as may be appointed to the station."

The House divided on the motion of amendment:

YEAS:

| | |
|-----------------------|----------------|
| Mr. Palmer, | Mr. Gorman, |
| Mr. Yeo, | Mr. Longworth, |
| Mr. Montgomery, | Mr. Hudson, |
| Hon. J. S. Macdonald, | Hon. Mr. Pope. |

NAYS:

| | |
|-------------------|------------------|
| Mr. Thomson, | Mr. Beck, |
| Mr. W. Dingwell, | Mr. Clark, |
| Mr. Dalziel, | Mr. Macfarlane, |
| Mr. Macintosh, | Mr. J. Dingwell, |
| Mr. Macneill, | Mr. Arbuckle, |
| Mr. D. Macdonald, | Mr. Fraser, |
| Mr. Rae, | Mr. Forbes. |

So it passed in the negative.

The Hon. Mr. Pope moved, in amendment of the said Resolution, to leave out the words "Three Rivers and."

The House divided on the motion of amendment:

YEAS:

| | |
|----------------|-----------------------|
| Hon. Mr. Pope, | Mr. Montgomery, |
| Mr. Hudson, | Hon. J. S. Macdonald, |
| Mr. Longworth, | Mr. Yeo, |
| Mr. Gorman, | Mr. Palmer. |
| Mr. Macneill, | |

NAYS:

| | |
|------------------|-------------------|
| Mr. Forbes, | Mr. Rae, |
| Mr. Fraser, | Mr. D. Macdonald, |
| Mr. Arbuckle, | Mr. Macintosh, |
| Mr. J. Dingwell, | Mr. Dalziel, |
| Mr. Macfarlane, | Mr. W. Dingwell, |
| Mr. Clark, | Mr. Thomson. |
| Mr. Beck, | |

So it passed in the negative.

The question being then put on the said Resolution, it was agreed to by the House.

Ordered, That Mr. Thomson, Mr. Clark and Mr. Arbuckle be a Committee to prepare and bring in a Bill in accordance with the above reported Resolution.

A Message from His Excellency the Lieutenant Governor.

Mr. Secretary Collins, by command of His Excellency, delivered the following

Message:

CHARLES A. FITZ ROY, Lt. Governor.

The Lieutenant Governor is desirous that the House of Assembly, at its rising to-morrow, should adjourn to Saturday, the 30th instant.

Government House, March 27th, 1839.

Resolved, That this House will, at its rising to-morrow, adjourn until Saturday, the 30th instant.

A Message from the Council, by Mr. Desbrisay:

Mr. Speaker;

The Legislative Council have passed a Bill, intituled *An Act to amend an Act for regulating the several Jails within this Island, and establishing Prison discipline therein*, to which they desire the concurrence of the House of Assembly.

And then he withdrew.

Then the House adjourned for one hour.

And being met—

Mr. D. Macdonald moved, that the engrossed Bill intituled *An Act to regulate the forfeiture of*

Lands and the settlement of the Inhabitants of this Island, be now read the third time.

Mr. Yeo moved, in amendment, to leave out the word "now," and at the end of the question to add the words "this day six months."

The House divided on the motion of amendment:

YEAS :

| | |
|----------------|-----------------------|
| Mr. Yeo, | Hon. J. S. Macdonald, |
| Mr. Hudson, | Mr. Longworth, |
| Hon. Mr. Pope, | Mr. Palmer. |

NAYS :

| | |
|-------------------|------------------|
| Mr. D. Macdonald, | Mr. Macintosh, |
| Mr. Thomson, | Mr. Macfarlane, |
| Mr. Beck, | Mr. Arbuckle, |
| Mr. Le Lacheur, | Mr. Rae, |
| Mr. Gorman, | Mr. Clark, |
| Mr. Dalziel, | Mr. Forbes, |
| Mr. Montgomery, | Mr. Macneill, |
| Mr. Fraser, | Mr. W. Dingwell. |
| Mr. J. Dingwell, | |

So it passed in the negative.

The question being then put on the main motion,

It was resolved in the affirmative.

The Bill was accordingly read the third time.

A motion being made that the Bill do pass ;

The Hon. Mr. Pope moved, as an amendment to the question, that the House do come to a Resolution, as followeth:

"That as the Bill before the House contemplates a general forfeiture of all the lands in this Colony, and is an infringement of the prerogatives of the Crown, as well as an obvious violation of private rights, and is by no means calculated to relieve the tenantry of this Colony from the burthens which a large arrear of rents impose on them: *Resolved, therefore*, that this Bill do not pass until this day three months; but that a Committee be appointed to prepare an Address to Her Majesty, praying that she will be graciously pleased to interpose Her mediation with the Township Proprietors, to obtain for the Tenantry an abatement of rent for which they are now or may be hereafter liable, as the only means of affording that relief which the distressed circumstances of many of them require."

The House divided on the motion of amendment:

YEAS :

| | |
|----------------|-----------------------|
| Hon. Mr. Pope, | Hon. J. S. Macdonald, |
| Mr. Palmer, | Mr. Hudson. |
| Mr. Yeo, | |

NAYS :

| | |
|-------------------|------------------|
| Mr. Arbuckle, | Mr. Fraser, |
| Mr. Beck, | Mr. Dalziel, |
| Mr. Thomson, | Mr. Clark, |
| Mr. Le Lacheur, | Mr. J. Dingwell, |
| Mr. D. Macdonald, | Mr. W. Dingwell, |
| Mr. Rae, | Mr. Gorman, |
| Mr. Macintosh, | Mr. Macneill, |
| Mr. Macfarlane, | Mr. Montgomery. |
| Mr. Forbes, | |

So it passed in the negative.

The question being then put on the main motion, "that the Bill do pass,"

The House again divided:

YEAS, 17. NAYS, 5.

So it was resolved in the affirmative.

Ordered, That Mr. D. Macdonald do carry the said Bill to the Legislative Council, and desire their concurrence.

A motion being made, that the House do now adjourn,

It passed in the negative.

Mr. Clark moved, that the House do come to a Resolution, as followeth:

Resolved, That in addition to the Bill now before the Legislature, an humble Address be presented to Her Majesty, shewing that the authorized mediation between the Proprietors and the Tenantry of this Colony, conducted by the Colonial Government, has failed to produce the effect of lowering the rents, and that it becomes necessary to adopt some general measure for the settlement of the Colony.

Mr. Palmer moved, in amendment, to leave out all the words of the proposed Resolution after the word "Resolved," and instead of the words so left out, to substitute the following, viz: "That from the copious and comprehensive provisions embraced in the Bill now before the Legislature, it is already calculated as a general measure for the settlement of the Colony, and it is therefore inexpedient to adopt any additional measure of the same nature."

The House divided on the motion of amendment:

YEAS, 5. NAYS, 17.

So it passed in the negative.

The question being then put on the main motion, it was carried in the affirmative.

Ordered, That the Hon. Mr. Pope have leave to absent himself from this House until Tuesday next.

Then the House adjourned until to-morrow, at Eleven o'clock.

THURSDAY, March 28, 1839.

MR. THOMSON, from the Committee of the whole House on the consideration of the Report of the Special Committee appointed to inquire into the expediency of amending the Act for the encouragement and support of District and other Schools, reported, according to order, the Resolutions of the said Committee; which Resolutions were again read at the Clerk's Table, and are as follow:

1. **RESOLVED**, That it is the opinion of this Committee, that great changes appear to be requisite in the Act for the encouragement and support of District and other Schools; but as those changes cannot effectually be brought about without the general co-operation of the Inhabitants, and as on many important points the mass of the community have not yet expressed their final opinion, that it be recommended to the House, at its next Session, to go fully into the consideration of the said Act; and that in the meantime a Bill be brought in to provide for one year for a third or lower class of Teachers.

2. **RESOLVED**, That it is the opinion of this Committee, that a Special Committee be appointed, composed of Members from the different Counties, for the purpose of acquiring, during the recess, all such information as they may deem necessary or useful, relating to the subject-matter of the Act for the encouragement and support of District and other Schools, and to report thereon to the House at its next Session.

3. **RESOLVED**, That it is the opinion of this Committee, that that part of the Report which refers to the School kept by Alexander Rae, in Princetown Royalty, be referred to the Committee of Supply; and that the sum of Twelve Pounds, being the amount allowed to First Class Teachers, be granted to the said Alexander Rae, for the year ending 15th December, 1838.

4. **RESOLVED**, That it is the opinion of this Committee, that the case of Patrick B. Doyle, a Teacher of youth in Charlottetown, is entitled to favourable consideration, and that he be allowed the sum of Seven Pounds, in addition to the sum to which he is entitled under the Act for the encouragement and support of District and other Schools.

And the First and Second of the said Resolutions being again severally read, were, upon the question being separately put thereon, agreed to by the House.

The Third of the said Resolutions being again read, and the question of concurrence put thereon;

The House divided:

YEAS:

| | |
|-------------------|------------------|
| Mr. Thomson, | Mr. Beck, |
| Mr. Forbes, | Mr. J. Dingwell, |
| Mr. Clark, | Mr. Macneill, |
| Mr. Le Lacheur, | Mr. Montgomery, |
| Mr. D. Macdonald, | Mr. Macintosh, |
| Mr. W. Dingwell, | Mr. Fraser, |
| Mr. Macfarlane, | Mr. Gorman, |
| Mr. Dalziel, | Mr. Arbuckle. |

NAYS:

| | |
|-----------------------|----------------|
| Hon. J. S. Macdonald, | Mr. Longworth, |
| Mr. Palmer, | Mr. Hudson. |

So it passed in the affirmative.

The Fourth of the said Resolutions being again read, was, upon the question put thereon, agreed to by the House.

Resolved, That a Committee of three Members be appointed, to prepare and bring in a Bill to provide for one year for a third or lower class of Teachers, in accordance with the First of the above reported Resolutions.

Ordered, That Mr. Arbuckle, Mr. Palmer and Mr. Clark do compose the said Committee.

Ordered, That Mr. Rae, Mr. Hudson, Hon. J. S. Macdonald, Mr. Gorman, Mr. Arbuckle, Mr. Longworth, Mr. D. Macdonald, Mr. Thomson, Mr. Dalziel, Mr. Clark, Mr. Macfarlane and Mr. W. Dingwell be a Committee, for the purpose mentioned in the Second of the above reported Resolutions.

An engrossed Bill from the Council, intituled *An Act to amend an Act for regulating the several Jails within this Island, and establishing Prison discipline therein*, was read the first time.

Ordered, That the said Bill be read a second time on Saturday next.

Mr. Yeo, from the Committee appointed to prepare and bring in a Bill relating to Treasury Warrants, presented to the House a Bill, as prepared by the Committee, and the same was read the first time.

Ordered, That the said Bill be read a second time on Tuesday next.

Then the House adjourned for one hour.

And being met—

The Hon. *J. S. Macdonald*, from the Committee appointed to wait upon His Excellency the Lieutenant Governor, with the Address of the 26th instant, on the subject of building a Bridge at Mount Stewart Ferry, reported to the House that their Address had been presented to His Excellency, and that he was pleased to say, that he would comply with the desire of the House.

Ordered, That Mr. *W. Dingwell* have leave to absent himself from this House until Tuesday next.

Mr. *Palmer* moved, that this House do now resolve itself into a Committee of the whole House, to consider the expediency of amending the Election Laws.

And thereupon, Mr. *Thomson* moved that the House do come to the following Resolutions:

Resolved, That the present Election Law was concocted in the late House of Assembly, whilst three of the Members for King's County, well known to be opposed to the measure, were, under specious pretexts, placed in charge of the Sergeant at Arms, whereby an undue advantage was taken of the minority then remaining in the late House of Assembly: and whereas the party purposes of the projectors of the amended Election Law have in some measure been realized, by the return to this House of a few Members who are advocates for the payment of Rents to Proprietors who have failed in most instances to perform the conditions of their original Grants, which this House deems tantamount to proprietary bondage, and that this House would have felt bound to adopt some general measure on the subject before the termination of this Assembly; yet, nevertheless, in deference to His Excellency's concurrence in the said Act, the House are willing that the same shall have a fair trial, in order that its projectors may have the full benefit of the advantage the said law affords them.

That while this House perfectly concurs in the representations made to Her Majesty's Minis-

ters by William Cooper, Esquire, against the present Election Law of this Colony, yet, in the present unsettled state of the inhabitants, it is highly inexpedient to produce any further agitation, by making any alteration in the Election Law, until the agricultural inhabitants are settled upon the land: *Resolved, therefore*, that the further consideration of this question be postponed until this day six months.

Mr. *Hudson* moved, that instead of the said proposed Resolutions, the following be adopted:—"That it is inexpedient at present to make any alteration in the Election Laws."

The House divided on the motion of amendment:

YEA, 1.

NAYS, 16.

So it passed in the negative.

The question being then put on the said Resolutions,

The House again divided:

YEAS:

| | |
|--------------------------|---------------------------|
| Mr. <i>Thomson</i> , | Mr. <i>Le Lacheur</i> , |
| Mr. <i>Arbuckle</i> , | Mr. <i>Macintosh</i> , |
| Mr. <i>Macfarlane</i> , | Mr. <i>D. Macdonald</i> , |
| Mr. <i>Fraser</i> , | Mr. <i>Dalziel</i> , |
| Mr. <i>Beck</i> , | Mr. <i>Clark</i> , |
| Mr. <i>Forbes</i> , | Mr. <i>Macneill</i> , |
| Mr. <i>J. Dingwell</i> , | Mr. <i>Gorman</i> . |
| Mr. <i>Hudson</i> , | |

NAYS:

| | |
|---------------------|------------------------|
| Mr. <i>Palmer</i> , | Mr. <i>Longworth</i> . |
|---------------------|------------------------|

So they were carried in the affirmative.

Ordered, That Mr. *Hudson* have leave to absent himself from this House until Tuesday next.

Ordered, That Mr. *Thomson* have leave to absent himself from this House until Monday next.

Then the House adjourned until Saturday next, at Eleven o'clock.

SATURDAY, March 30, 1839.

THE engrossed Bill from the Council, intituled *An Act to amend an Act for regulating the several Jails within this Island, and establishing Prison discipline therein*, was, according to order, read a second time.

Ordered, That the said Bill be now committed to a Committee of the whole House.

Ordered, That His Excellency the Lieutenant Governor's Message of February 2d, on the sub-

ject of Prison Discipline, with the several documents accompanying the same, be referred to the said Committee.

And then the House resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Longworth took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again on Tuesday next.

Then the House adjourned for one hour.

And being met—

Read a third time, as engrossed, the Bill intituled *An Act for the relief of certain of the Ame-*

rican Loyalists and disbanded Troops, and their Representatives.

Resolved, That the said Bill do pass.

Ordered, That Mr. *D. Macdonald* do carry the said Bill to the Legislative Council, and desire their concurrence.

The Order of the Day, for the House in Committee, to consider further of a Supply, being read ;

Ordered, That the said Order of the Day be postponed until Tuesday next.

The Order of the Day, for the House in Committee, to consider of Ways and Means, being read ;

Ordered, That the said Order of the Day be postponed until Tuesday next.

Then the House adjourned until Monday next, at Eleven o'clock.

MONDAY, April 1, 1839.

NINE Petitions were presented to the House by Mr. *Rae*, viz :

A Petition of divers Inhabitants of the First Electoral District of King's County :

A Petition of divers Inhabitants of the Second Electoral District of said County :

A Petition of divers Inhabitants of the Third Electoral District of said County :

A Petition of divers other Inhabitants of the said Third Electoral District :

A Petition of divers Inhabitants of the Second Electoral District of Queen's County :

A Petition of divers other Inhabitants of the said Second Electoral District :

A Petition of divers Inhabitants of the Third Electoral District of said County :

A Petition of divers other Inhabitants of the said Third Electoral District :

A Petition of divers Inhabitants of the Second Electoral District of Prince County :

And the said Petitions were received and read, each severally setting forth—That Petitioners have heard with surprise and regret, that Her Majesty's Government have advised that a large portion of the proceeds of the sales of the Glebe and School Lands, appropriated by an enactment of the Colonial Legislature, should be placed at the disposal of the Bishop of Nova Scotia—and praying the House to take every constitutional means for the prevention of so manifest a perversion of a public fund.

Ordered, That the said Petitions be referred to the Committee to whom was referred the Message of His Excellency the Lieutenant Governor, of the 28th January, with the accompanying documents, relative to the appropriation of the proceeds of the Glebe and School Lands.

Then the House adjourned until to-morrow, at Eleven o'clock.

TUESDAY, April 2, 1839.

THE Order of the Day, for the House in Committee on the further consideration of an engrossed Bill from the Council, intituled *An Act to amend an Act for regulating the several Jails within this Island, and establishing Prison discipline therein*, being read ;

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

The Hon. J. S. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Hon. J. S. Macdonald reported, that the Committee had gone through the Bill, and had made several amendments thereto ; which amendments were again read at the Clerk's Table, and are as follow :

Folio 1, line 5—After the word "Island," insert "so far
"only as such Rules and Regulations can
"be adopted without erecting any addi-
"tional Building or Buildings to the Jails
"lately erected."

Folio 4, line 9—Before the words "a Surgeon," insert
"That when necessary."

Strike out the Second Section, and instead thereof insert the following Clause, marked (A.)

Clause (A.)

And be it further enacted, That if any person, in contravention of the existing Rules, shall carry or bring, or attempt or endeavour to carry or bring, into any Prison or House of Correction, any Spirituous or Fermented Liquors, it shall be lawful for the Jailer, Keeper, Turnkey, or any other of the assistants to the said Jailer or Keeper, to apprehend, or cause to be apprehended, such offender, and to carry him or her before a Justice of the Peace (who is hereby empowered to hear and determine such offence in a summary way); and if he shall lawfully convict such person of such offence, he shall forthwith commit such offender to the Common Jail of the County in which such offender shall be convicted, there to be kept in custody for any time not exceeding two Months, nor less than five days, without bail or mainprize, unless such offender shall immediately pay down such sum of money, not exceeding Forty Shillings, and not less than Five Shillings, as the Justice shall impose upon such offender—to be paid, one moiety to the Informer, and the other moiety in aid of the maintenance of such Prison; and if any Justice shall receive information upon oath, that any Spirituous or Fermented Liquor is unlawfully kept or disposed of in any Prison, he may enter and search, or issue his Warrant to enter

and search, for such Liquor; and in case it shall be found, it shall be lawful for the person so finding to seize the same, and cause it to be disposed of as the Justice shall direct: and if any Jailer or Keeper of any Prison shall sell, use, lend or give away, or knowingly permit or suffer to be sold, used, lent or given away, in such Prison, or brought into the same, any Spirituous or Fermented Liquor, in contravention of the existing Rules of such Prison, he shall, for every such offence, forfeit and pay the sum of Five Pounds—such Penalty to be recovered in a summary way, before any one Justice of the Peace, upon the oath of one or more credible Witness or Witnesses; and if the said Jailer or Keeper shall not immediately pay down the said Penalty, he shall be dismissed from his office, and be rendered incapable of holding the said office again: and in the event of a second conviction of any Jailer or Keeper of such offence, he shall forfeit and pay the sum of Ten Pounds, and shall be dismissed from his said office, and be rendered incapable of holding the same again; and if he shall not immediately pay down the said Fine, the said Justice is hereby authorized and empowered to issue his Warrant against him, and to cause him to be imprisoned in the Common Jail of the County, for a period not exceeding Two Months—the said Fine or Fines, if recovered from any Jailer or Keeper as aforesaid, to be applied, one moiety to the Informer, and the other moiety to be paid into the Treasury, for the use of Her Majesty's Government.

And the said amendments having been read throughout a first and second time, were, upon the question put thereon, agreed to by the House.

A motion being made, that the said amendments be engrossed;

Mr. Arbuckle moved, as an amendment to the question, that the said Bill be recommitted, for the purpose of further amending the same as follows:—Section 3, line 3—After the word "procure," insert "at the request of any Prisoner or Prisoners:" Line 9—leave out the words "and they are hereby empowered to order the attendance of such Prisoner or Prisoners during such period of Divine service:" Line 12—after the word "Prisoners," leave out "refuse or neglect to obey the order of said Justices in this behalf, or."

The House divided on the motion of amendment:

YEAS:

Mr. Arbuckle,
Mr. Thomson,
Mr. Gorman,

Mr. Dalziel,
Mr. Macintosh,
Mr. Fraser.

NAYS :

| | |
|-----------------------|---------------------|
| Mr. Palmer, | Mr. Longworth, |
| Hon. J. S. Macdonald, | Mr. D. Macdonald, - |
| Mr. Yeo, | Mr. J. Dingwell, |
| Mr. Hudson, | Mr. W. Dingwell, |
| Mr. Macneill, | Mr. Forbes, |
| Mr. Le Lacheur, | Mr. Beck. |

So it passed in the negative.

The question being then put on the main motion, it was carried in the affirmative.

Ordered, That the said Bill, with the amendments, be read the third time to-morrow.

Mr. D. Macdonald, from the Committee appointed to inquire into the expenditure of public money on the erection and repairs of the Central Academy, the number of pupils who have attended that Institution, and any other matter concerning the same, of a public nature, presented to the House the Report of the said Committee; which Report was again read at the Clerk's Table, and is as followeth:

| | | | |
|--|-------|----|---|
| Your Committee beg to submit, that the amount of the first Contract for the Building was | £1210 | 0 | 0 |
| Additional claim for extra work, | 36 | 0 | 0 |
| Payment to Mrs. Miller, | 50 | 0 | 0 |
| Repairs, 1837, and Desks, | 39 | 3 | 6 |
| Repairs, 1838, | 20 | 10 | 1 |
| | 1355 | 13 | 7 |
| Three years' salary for the Masters, | 990 | 0 | 0 |

Already expended, £2255 13 7

In reference to the advantage which the Colony has derived from the Institution, your Committee have to observe, that the number of pupils for the first term was 58; for the second, 49: for the first term of the second year, 65; for the second of the second year, 59: for the first term of the third year, 50; for the second of the third year, 47: for the present term, 48—shewing the average number of pupils to have been fifty-four. That there are engaged with the study of Greek and subordinate branches, 10 pupils; of Latin and subordinate branches, 19; of subordinate branches, 19—total, 48. That the fees for Reading, Writing and Arithmetic, are, per annum, £2—for Reading, Writing and Arithmetic, including Geography and History, per annum, £3—for any or all of the higher branches of Education, per annum, £4. That taking the above statement, which, so far as respects the number of pupils, the branches taught, and the fees, was derived from the verbal and written statements of the Teachers themselves, the average amount of fees would appear to be £163 10 0

Interest on the cost of the building (say on £1296), at 6 per cent. 77 15 4

Average of annual repairs, 19 18 0

Teachers' salaries, 300 0 0

£561 3 4

Shewing the average cost for tuition alone to be more than Ten Pounds a year for every pupil; while in the country the average cost does not exceed Two Pounds, or Two Pounds Five Shillings.

Again, taking the relative amount of public money received for the tuition of a pupil in the country, your Committee find, that the number of pupils attending country schools, by the Visiter's Report of 1838, was one thousand six hundred and forty-nine, and that for these there had been paid out of the Treasury to the Teachers

Exclusive of St. Andrew's Academy, £50;

and Acadian Teachers, £32; as these did not form any part of the Visiter's Report.

| | | | |
|----------------|------|---|---|
| To the Visiter | 100 | 0 | 0 |
| | £456 | 0 | 0 |

So that there is given annually, out of the public revenue, in aid of the education of every individual pupil in the country, about *five shillings and six-pence* annually; out of the same source, in aid of the education of every individual pupil in the Academy, upwards of Five Pounds Fifteen Shillings; and if the interest on the cost of the Building be taken into account, upwards of Seven Pounds.

Your Committee further submit, that by order of the Trustees of the Academy, offers have been publicly made for the education of four pupils from every County, free of any charge for their tuition; but that only one (and that one from the Royalty of Charlottetown) has been sent, although two years have elapsed since said offers were made known by advertisement. Your Committee must, from this circumstance, conclude, either that the residents in the country considered that their children would not receive in the Academy a better education than would be imparted to them in some of the District Schools, or that the rate of boarding in the Academy was beyond their means. The charge for boarding in the Academy was Twenty Pounds a year, but is now Twenty-four Pounds, for bed, board and washing, exclusive of the charge for tuition.

Your Committee submit, that taking another view of the subject—that is, the proportion of the funds devoted to the encouragement of Education throughout the Colony, the division appears extremely unequal. There was paid from the Treasury, in support of all Schools in the Colony, exclusive of Charlottetown, in 1836

| | | | |
|-----------|------|---|---|
| Secretary | 15 | 0 | 0 |
| In 1837 | 342 | 0 | 0 |
| Secretary | 15 | 0 | 0 |
| In 1838 | 607 | 0 | 0 |
| Average, | £441 | 0 | 0 |

Average paid by the Treasury, in support of the Academy, for the last three years, including the interest on the cost of the building, and repairs, £396, being nearly eight-ninths of what was paid by the Treasury in support of Education throughout the rest of the Island.

Your Committee submit, that taking it in another light, as the District Teachers of the highest Class are required to be competent to teach all the branches which are taught in the Central Academy, except General History and the Greek Language—as Teachers of the highest class can scarcely be supposed incompetent to teach General History, and as such Teachers cannot draw from the Treasury more than One Pound for every pupil, and frequently have not drawn more than Ten Shillings per pupil, it seems unjust to give to two other Teachers nearly Four hundred Pounds for fifty-four pupils—that is, about Seven Pounds per pupil.

Your Committee suppose that they may have overlooked some particulars which might make a difference in the above calculations, and that the views they have taken may not in every instance be exactly correct; still your Committee submit, that in the main, they believe the preceding statements contain such proofs of an unequal distribution of the amount of public funds devoted to educational purposes, as to call for the immediate interposition of the Legislature; and they respectfully submit, that the Legislative provision of One hundred and fifty Pounds to each of the two Masters be withdrawn; that these Masters, and their successors, should be allowed, 1st, the benefit of the very ample accommodations which the building affords, both for tuition and comfortable residence; 2nd, an allowance from the Treasury to each Master, equal to the allowance made to the highest class of District Teachers; 3rd, that the fees of tuition for pupils from any part of the Island (exclusive of Charlottetown and Royalty) should be paid by the Treasury.

There has been laid before your Committee a catalogue of the pupils attending the Academy, from which your Committee would infer, that the parents of the pupils are, for the most part, of such a class in society as to be well able to provide, from their own resources, the means of educating their children.

There has also been laid before your Committee a letter from the Rev. Mr. Waddell, one of the Masters, requesting a further outlay of public money, in order that the part of the building appropriated for his residence may be rendered such as he considers suitable for his abode. The opinions which your Committee have previously submitted to your Honorable House, render it unnecessary for them to comment upon this application.

Lastly, your Committee have to remark, that the building shews signs of the materials used in some parts of its construction, or else of the workmanship thereon, having been insufficient.

ALEXANDER RAE,
ALLAN FRASER,
DONALD MACDONALD,
JOHN ARBUCKLE,
WILLIAM DINGWELL.

Committee Room, April 2d, 1839.

A motion being made, that the said Report be referred to a Committee of the whole House to-morrow;

Mr. *Palmer* moved, in amendment, that the words “to-morrow” be struck out, and the following substituted—“on Thursday next;” which being seconded and put, passed in the affirmative.

The main motion, as amended, was then put and carried.

Mr. *Palmer* moved, that the Thirteenth Rule of this House, requiring twenty-four hours’ notice of a motion to be given, previous to the same being made, be suspended, as far as respects the presentation of any Petitions this day referable to the Committee of Ways and Means:

Which was ordered.

Four Petitions were presented to the House, and the same were received and read, viz:

By Mr. *Palmer*—A Petition of Andrew Duncan, Samuel Nelson, Donald Macdonald, and others, interested in the general prosperity of the Island, and particularly in the shipping interest, praying that articles imported for ship-building purposes, and for the fitting out of vessels, may be exempted from the payment of ad valorem duty.

By Mr. *Dalziel*—A Petition of Thomas Robin, William Clements, D. Creighton, and others, being persons interested in the general prosperity of the Island, and particularly in shipping, praying an exemption of duty on the articles mentioned in the foregoing petition.

By Mr. *Gorman*—A Petition of divers Inhabitants of Townships Twelve, Thirteen, Fourteen, Sixteen, and others, praying an exemption of duty as aforesaid.

By Mr. *Thomson*—A Petition of Angus Macdonald, W. Mackay, Rufus Shattuck, and others, being persons interested in the general prosperity of the Island, and particularly in the shipping interest, praying an exemption of duty as aforesaid.

Ordered, That the four preceding Petitions do lie on the Table.

Then the House adjourned for one hour.

And being met—

The Bill relating to Treasury Warrants, was, according to order, read a second time.

Ordered, That the said Bill be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Longworth took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Longworth reported, that the Committee had gone through the Bill, and had made several amendments thereto; which amendments were again read at the Clerk's Table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed, and that the Title be *An Act relating to Treasury Warrants*.

The Order of the Day, for the House in Committee, to consider of Ways and Means, being read;

Ordered, That the several Petitions presented to the House this day, be referred to the said Committee.

And then the House resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. D. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. D. Macdonald reported, that the Committee had come to a Resolution, which he was directed to submit to the House whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Then the House adjourned until to-morrow, at Eleven o'clock.

WEDNESDAY, April 3, 1839.

THE engrossed Bill from the Council, intituled *An Act to amend an Act for regulating the several Jails within this Island, and establishing Prison discipline therein*, with the amendments, was, according to order, read the third time.

Resolved, That the said Bill, with the amendments, do pass.

Ordered, That Mr. D. Macdonald do carry back the said Bill to the Legislative Council, and acquaint them that this House hath passed the same, with several amendments, to which it doth desire their concurrence.

Mr. D. Macdonald, from the Committee of the whole House, on the consideration of Ways and Means, reported, according to order, the Resolution of the said Committee; which Resolution was again read at the Clerk's Table, and is as followeth:

Resolved, That it is the opinion of this Committee, that the several Rates and Duties imposed by the Act, 1 Vict. cap. 17, intituled "An Act to continue for one year, and to amend an Act passed in the Seventh year of His late Majesty's Reign, intituled *An Act for the increase of the Revenue of this Island*," except the articles mentioned in the Second Section of the said Act, on which a Duty of Two and a half per centum shall be charged, be continued

for one year from the Seventh day of May next, and no longer.

The said Resolution being again read;

The Hon. Mr. Pope moved, in amendment thereto, to leave out the words "except the articles mentioned in the Second Section of the said Act, on which a Duty of Two and a half per centum shall be charged."

The House divided on the motion of amendment:

YEAS :

| | |
|-----------------------|-----------------|
| Hon. Mr. Pope, | Mr. Longworth, |
| Hon. J. S. Macdonald, | Mr. Montgomery, |
| Mr. Palmer, | Mr. Hudson. |
| Mr. Yeo, | |

NAYS :

| | |
|------------------|-------------------|
| Mr. Fraser, | Mr. Thomson, |
| Mr. Beck, | Mr. Dalziel, |
| Mr. Gorman, | Mr. Le Lacheur, |
| Mr. J. Dingwell, | Mr. Macneill, |
| Mr. Macintosh, | Mr. Arbuckle, |
| Mr. Rac, | Mr. Forbes, |
| Mr. Macfarlane, | Mr. D. Macdonald. |
| Mr. W. Dingwell, | |

So it passed in the negative.

The question being then put on the said Resolution, it was agreed to by the House.

Resolved, That a Committee of three Members be appointed, to prepare and bring in a Bill

to continue and to amend the Act, 1, Vict. cap. 17, for the increase of the Revenue of this Island, in accordance with the above reported Resolution.

Ordered, That Mr. *D. Macdonald*, Mr. *Palmer* and Mr. *Yeo* do compose the said Committee.

Resolved, That a Committee of this House be appointed, to join a Committee of the Legislative Council, for the purpose of taking charge of the Government House and public Furniture.

Ordered, That the Hon. *Pope*, Mr. *Le Lacheur*, Mr. *W. Dingwell* and Mr. *Longworth* do compose the said Committee.

Ordered, That the said Resolution be communicated, by Message, to the Legislative Council.

Ordered, That the Hon. Mr. *Pope* do carry the said Message to the Council.

Then the House adjourned for one hour.

And being met—

Ordered, That the Order of the Day, for the House in Committee, to consider further of a Supply, be now read;

And the same being read;

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Hon. J. S. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again to-morrow.

Then the House adjourned until to-morrow, at Ten o'clock.

THURSDAY, April 4, 1839.

READ a third time, as engrossed, the Bill intituled *An Act relating to Treasury Warrants*.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Yeo* do carry the said Bill to the Legislative Council, and desire their concurrence.

Mr. *Yeo*, from the Committee to whom was referred the Petition of divers Inhabitants of Townships Thirteen, Fourteen, Sixteen and Seventeen, presented to the House last Session, praying the House to adopt regulations for the management of Ellis River Ferry, reported, that the Committee having had under consideration the subject to them referred, had agreed to report a Bill providing the regulations prayed for.

Ordered, That the Report be received.

The Bill, as reported from the Committee, was then handed in, and read the first time.

Ordered, That the said Bill be read a second time to-morrow.

Mr. *D. Macdonald*, from the Committee appointed to prepare and bring in a Bill to continue and amend the Act, 1 Vict. cap. 17, for the increase of the Revenue of this Island, presented

to the House a Bill, as prepared by the Committee, and the same was read the first time.

Ordered, That the said Bill be read a second time to-morrow.

The Order of the Day, for the House in Committee, to consider the Report of the Special Committee appointed to inquire into the expenditure of public money on the erection and repairs of the Central Academy, the number of pupils who have attended that Institution, and any other matter concerning the same of a public nature, being read;

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Hudson took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. *Hudson* reported, that the Committee had come to a Resolution; which Resolution was again read at the Clerk's Table, and is as followeth:

Resolved, That the House be recommended, at its next Session, to order a Bill to be brought in for regulating the affairs of the Central Aca-

demy, and to amend the Act formerly passed for that purpose.

And the said Resolution being again read ;

Mr. *Longworth* moved, in amendment thereto, to leave out the words "at its next Session."

The House divided on the motion of amendment :

YEAS :

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|------------------------|----------------------|
| Mr. <i>Longworth</i> , | Mr. <i>Palmer</i> , |
| Hon. Mr. <i>Pope</i> , | Mr. <i>Yeo</i> , |
| Mr. <i>Gorman</i> , | Mr. <i>Thomson</i> . |
| Mr. <i>Hudson</i> , | |

NAYS :

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|---------------------------|-------------------------------|
| Mr. <i>Arbuckle</i> , | Mr. <i>Macneill</i> , |
| Mr. <i>J. Dingwell</i> , | Mr. <i>Macfarlane</i> , |
| Mr. <i>D. Macdonald</i> , | Mr. <i>W. Dingwell</i> , |
| Mr. <i>Forbes</i> , | Mr. <i>Montgomery</i> , |
| Mr. <i>Macintosh</i> , | Hon. <i>J. S. Macdonald</i> , |
| Mr. <i>Le Lacheur</i> , | Mr. <i>Fraser</i> , |
| Mr. <i>Beck</i> , | Mr. <i>Dalziel</i> . |
| Mr. <i>Rae</i> , | |

So it passed in the negative.

Mr. *Palmer* then moved, in amendment of the said Resolution, that after the word "Resolved," all be struck out, and the following substituted : "That an humble Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to adopt such measures as may be necessary for causing the Trustees of the Central Academy to review the rates of Tuition as at present fixed and established, and all such existing rules and regulations as affect the admission of pupils from any part of the Island, with a view of rendering that Institution more generally useful to the country at large, and of reducing the present rates of Board and Tuition, as far as the same may be found practicable ; and to cause a Report of their proceedings thereon to be laid before the House of Assembly as early as possible, at its next Session."

The House divided on the motion of amendment :

YEAS :

| | |
|-------------------------------|------------------------|
| Mr. <i>Palmer</i> , | Mr. <i>Dalziel</i> , |
| Mr. <i>Thomson</i> , | Hon. Mr. <i>Pope</i> , |
| Mr. <i>Yeo</i> , | Mr. <i>Longworth</i> , |
| Mr. <i>Hudson</i> , | Mr. <i>Macneill</i> . |
| Hon. <i>J. S. Macdonald</i> , | |

NAYS :

| | |
|--------------------------|---------------------------|
| Mr. <i>J. Dingwell</i> , | Mr. <i>Arbuckle</i> , |
| Mr. <i>Macintosh</i> , | Mr. <i>D. Macdonald</i> , |
| Mr. <i>Forbes</i> , | Mr. <i>Rae</i> , |
| Mr. <i>Macfarlane</i> , | Mr. <i>Beck</i> , |
| Mr. <i>Le Lacheur</i> , | Mr. <i>Gorman</i> , |
| Mr. <i>W. Dingwell</i> , | Mr. <i>Fraser</i> . |
| Mr. <i>Montgomery</i> , | |

So it passed in the negative.

The question being then put on the said Resolution, it was agreed to by the House.

Then the House adjourned for one hour.

And being met—

Ordered, That the Order of the Day, for the House in Committee, to consider further of a Supply, be now read ;

And the same being read ;

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

The Hon. *J. S. Macdonald* took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had made some progress, and had directed him to move for leave to sit again—which the House agreed to.

Resolved, That a Message be sent to His Excellency the Lieutenant Governor, praying that he will be pleased to give directions to the Road Commissioner of District No. 9, for the completion of the Road from Monaghan Settlement to the Georgetown Road.

Ordered, That Mr. *Le Lacheur* and Mr. *Arbuckle* be a Committee to wait upon His Excellency with the said Message.

Ordered, That Mr. *Palmer* have leave to introduce a Bill for more effectually preventing the sale of strong and spirituous Liquors by persons not duly licensed.

He accordingly presented the said Bill to the House, and the same was read the first time, and ordered to be read a second time to-morrow.

Then the House adjourned until to-morrow, at Ten o'clock.

FRIDAY, April 5, 1839.

MR. *LE LACHEUR*, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Message relative to the completion of the Road from Monaghan to the Georgetown Road, reported the delivery thereof, and that His Excellency was pleased to say he would attend to it.

A Message from the Legislative Council, by Mr. Desbrisay :

‘ COUNCIL CHAMBER,

Thursday, April 4th, 1839.

‘ Resolved, That a Committee be appointed to join the Committee of the House of Assembly, for the purpose of taking charge of the Government House and public Furniture.

‘ Ordered, That the Honorables Mr. Livett and Mr. Dalrymple do compose the said Committee.

‘ Ordered, That the foregoing Resolution be communicated, by Message, to the House of Assembly.’

And then he withdrew.

The Bill to continue for one year and to amend the Act for the increase of the Revenue, was, according to order, read a second time.

Ordered, That the said Bill be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. D. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had made some progress, and had directed him to move for leave to sit again—which the House agreed to.

Then the House adjourned for one hour.

And being met—

Ordered, That Mr. *Le Lacheur* be added to the Committee to whom was referred the Message of His Excellency the Lieutenant Governor, of the 28th January, with the accompanying documents, relative to the appropriation of the proceeds of the Glebe and School Lands.

The Bill for regulating the management of Ellis River Ferry, was, according to order, read a second time.

Ordered, That the said Bill be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Fraser took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Resolved, That this House do now resolve itself into a Committee of the whole House, on the further consideration of the Bill to continue for one year and to amend the Act for the increase of the Revenue.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. D. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. *D. Macdonald* reported, that the Committee had gone through the Bill, and had made several amendments thereto; which amendments were again read at the Clerk's Table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed, and that the Title be *An Act to further continue for one year and to amend an Act passed in the Seventh year of the Reign of His late Majesty King William the Fourth, for raising a Revenue in this Island.*

The Bill for rendering more effectual the Laws now in force for regulating the retail of Strong and Spirituous Liquors, was, according to order, read a second time.

Ordered, That the said Bill be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

The Hon. J. S. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Hon. *J. S. Macdonald* reported, that the Committee had gone through the Bill, and had made an amendment thereto; which amendment was again read at the Clerk's Table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed, and that the Title be *An Act for rendering more effectual the Laws now in force for regulating the retail of strong and spirituous Liquors.*

Then the House adjourned until to-morrow, at Eleven o'clock.

SATURDAY, April 6, 1839.

READ a third time, as engrossed, the Bill intituled *An Act to further continue for one year, and to amend an Act passed in the Seventh year of the Reign of His late Majesty King William the Fourth, for raising a Revenue in this Island.*

Resolved, That the Bill do pass.

Ordered, That Mr. Thomson do carry the said Bill to the Legislative Council, and desire their concurrence.

Mr. Rae, from the Committee to whom was referred His Excellency the Lieutenant Governor's Message of the 28th January, with the accompanying documents, relative to the appropriation of the proceeds arising from the sale of the Glebe and School Lands, presented to the House the Report of the said Committee; and the same having been read by the Clerk;

Ordered, That the said Report be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. D. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. D. Macdonald reported, that the Committee had gone through the Report of the Special Committee, paragraph by paragraph, had amended, and then adopted the same—and he read the Report, as amended, in his place, and delivered in at the Clerk's Table, where it was again read, and is as followeth:—

Your Committee to whom was referred the Despatch from Lord Glenelg of 3d December, 1838, with the accompanying documents, relative to the Glebe and School Lands, and sundry Petitions on the same subject, signed by several hundreds of the Inhabitants, beg leave to submit, that after the most attentive consideration which they have been able to give the matter, it appears to them that the granting the sole control of the funds arising from the sale of the Glebe Lands to the Bishop of Nova Scotia, for the purpose of establishing Schools under the exclusive management of the Church of England, is a violation of the

Colonial Statute of 5 Will. 4, cap. 13, by which such moneys are directed to be applied to the purposes of general Education within this Island; and moreover, that such exclusive controul would deprive at least nine-tenths of the Inhabitants of this Colony of any participation in the advantages intended to be conferred on them by the said Act, inasmuch as they are not in communion with the Church of England, and would not consent to any religious test being required of the Teachers of the Schools, nor to such course of instruction as would be repugnant to the religious opinions of so large a majority of the people. Your Committee are therefore of opinion, that, under all the circumstances of the case, the most advisable course of procedure would be, to forward an Address to Her Majesty, humbly, yet urgently, representing the injustice of granting to the Bishop of Nova Scotia the exclusive right to appropriate the proceeds arising from the sale of the Glebe Lands, and praying Her Majesty, that she will be graciously pleased to review her former decision thereon, and to order the interest of the moneys arising from such sales to be appropriated for the purposes only which are contemplated by the said Act.

Ordered, That the Report of the Committee be agreed to.

Resolved, That a Committee of five Members be appointed, to prepare and report the draught of an Address to Her Majesty, praying that she will be pleased to review her decision relative to the appropriation of the proceeds arising from the sale of the Glebe and School Lands, as recommended in the foregoing Report.

Ordered, That the Hon. Mr. Pope, Hon. J. S. Macdonald, Mr. Montgomery, Mr. Le Lacheur and Mr. Thomson do compose the said Committee.

Then the House adjourned for one hour.

And being met—

Mr. Longworth reported from the Committee to whom was referred the Petition of John H. White, presented to the House last Session; and he read the Report in his place, and delivered it in at the Clerk's Table, where it was again read, and is as followeth:

Your Committee to whom was referred the Petition of John Henry White, have to report, that the said J. H. White, in the year 1833, became the Contractor for the printing and binding a revised edition of the Laws of this Island, and entered into Articles of Agreement with the Commissioners appointed to carry into effect the Act of 3 Will. 4, cap. 24, for reprinting the Laws; and as such Contract was not duly performed, in the opinion of the Commissioners, who were made the sole judges of the work by the above mentioned Act, your Committee do not feel themselves warranted in recommending the House to grant the prayer of the Petition. But your Committee regret that the Commissioners should have considered it their duty to prosecute Mr. White for the penalty imposed for the non-performance of the Contract, as they consider the rejection of the work was a sufficient penalty, without taking legal steps against him.—Under these circumstances, and when they consider that the Action brought by the Commissioners was not sufficiently sustained, but ended in a verdict in favour of Mr. White, your Committee recommend the House to vote the sum of One hundred and twenty-five Pounds to Mr. White, to reimburse him for the expences he was unnecessarily put to in defending this Action, provided he will relinquish any claim he may suppose he has on account of the Contract entered into for printing the Laws.

A motion being made, that the Report be received;

Mr. Longworth moved, in amendment to the motion, that at the end of the question be added “and amended, by leaving out the words “One hundred and twenty-five Pounds,” and instead thereof inserting “One hundred and fifty “Pounds.”

The Hon. J. S. Macdonald moved, that the words proposed to be left out stand part of the Report—which being seconded and put,

The House divided:

YEAS :

| | |
|-----------------------|-------------------|
| Hon. J. S. Macdonald, | Mr. Macneill, |
| Mr. Macintosh, | Mr. D. Macdonald, |
| Mr. Arbuckle, | Mr. Yeo, |
| Mr. Dalziel, | Hon. Mr. Pope, |
| Mr. J. Dingwell, | Mr. W. Dingwell, |
| Mr. Beck, | Mr. Forbes, |
| Mr. Thomson, | Mr. Le Lacheur. |

NAYS :

| | |
|----------------|-----------------|
| Mr. Longworth, | Mr. Montgomery, |
| Mr. Palmer, | Mr. Gorman, |
| Mr. Rae, | Mr. Macfarlane, |
| Mr. Fraser, | Mr. Hudson. |

So it passed in the affirmative.

The question being then put on the main motion, “that the Report be received,”

It was carried in the affirmative.

Ordered, That the said Report be referred to the Committee of Supply.

Mr. Arbuckle, from the Committee appointed to prepare and bring in a Bill to provide for a third or lower class of Schoolmasters, presented to the House a Bill, as prepared by the Committee, and the same was read the first time.

Ordered, That the said Bill be read a second time on Monday next.

Ordered, That Mr. Longworth have leave to introduce a Bill to amend the Act, 7 Will. 4, cap. 23, for regulating Pounds.

He accordingly presented the said Bill to the House, and the same was read the first time, and ordered to be read a second time on Monday next.

Read a third time, as engrossed, the Bill intituled *An Act for rendering more effectual the Laws now in force for regulating the retail of strong and spirituous Liquors.*

Mr. Rae moved, that the following engrossed clause be added to the Bill, by way of Rider, and do make part thereof:

“And be it further enacted, That this Act “shall continue and be in force for one year “from the passing thereof, and no longer.”

The House divided on the question:

YEAS :

| | |
|-----------------|-------------------|
| Mr. Rae, | Mr. D. Macdonald, |
| Mr. Macfarlane, | Mr. J. Dingwell, |
| Mr. Fraser, | Mr. Gorman, |
| Mr. Forbes, | Mr. Macintosh. |
| Mr. Beck, | |

NAYS :

| | |
|-----------------|-----------------------|
| Mr. Palmer, | Mr. Le Lacheur, |
| Mr. Thomson, | Mr. Yeo, |
| Mr. Dalziel, | Hon. Mr. Pope, |
| Mr. Montgomery, | Hon. J. S. Macdonald, |
| Mr. Arbuckle, | Mr. W. Dingwell, |
| Mr. Macneill, | Mr. Hudson. |
| Mr. Longworth, | |

So it passed in the negative.

Resolved, That the Bill do pass.

Ordered, That Mr. Palmer do carry the said Bill to the Legislative Council, and desire their concurrence.

Resolved, That this House do now resolve itself into a Committee of the whole House, to consider further of a Supply.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Hon. J. S. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee

had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again on Monday next.

Then the House adjourned until Monday next, at Eleven o'clock.

MONDAY, April 8, 1839.

THE Bill to provide for a third or lower class of Schoolmasters, was, according to order, read a second time.

Ordered, That the said Bill be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Le Lacheur took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. *Le Lacheur* reported, that the Committee had gone through the Bill, and had made several amendments thereto; which amendments were again read at the Clerk's Table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed, and that the Title be *An Act to amend the Act for the encouragement and support of District and other Schools*.

The Hon. Mr. *Pope*, from the Committee to whom was referred the Petition of Angus Macdonald, of Brudenell Point, presented to the House last Session, praying that the Colonial Duties paid by him on certain Ship's stores imported in the year 1837, may be refunded, presented to the House the Report of the said Committee; which Report was again read at the Clerk's Table, and is as followeth:

Your Committee having consulted the best authorities in the several departments connected with the subject, and having referred to the Laws in force at the time such stores were imported, are of opinion, that the grounds of exemption from Duty claimed by Petitioner cannot be sustained, and consequently cannot recommend the House to grant the prayer of the Petition; although your Committee fully concur with the Petitioner in the hardship and impolicy of the regulations whereby persons engaged in so important a branch of our commerce as that of building and fitting out ships, should be obliged to enter and pay duties on stores required for that purpose, which, in many cases,

are transhipped without even being landed in the Colony, but used in sending its vessels to the British market, for sale—particularly as no duties are imposed on similar articles in the neighbouring Provinces, which gives them a decided advantage over this Colony in that department of our trade.

JOSEPH POPE,
FRANCIS LONGWORTH,
EDWARD PALMER.

Committee Room, April 8th, 1839.

A motion being made, that the Report be received;

Mr. *Thomson* moved, in amendment to the motion, that at the end of the question be added "and amended, by leaving out of the Report all after the word "Petition," and substituting the following—"Although the case of the Petitioner appears a hardship, your Committee are of opinion, that a moderate duty on articles used in the building and fitting out of vessels in a Colony like this, where provisions and wood are cheaper than in any of the neighbouring Colonies, is perfectly justifiable, in the present state of the finances of the Colony."

The House divided on the motion of amendment:

YEAS:

| | |
|---------------------------|-------------------------|
| Mr. <i>Thomson</i> , | Mr. <i>Macintosh</i> , |
| Mr. <i>J. Dingwell</i> , | Mr. <i>Beck</i> , |
| Mr. <i>W. Dingwell</i> , | Mr. <i>Gorman</i> , |
| Mr. <i>Macnill</i> , | Mr. <i>Rae</i> , |
| Mr. <i>Arbuckle</i> , | Mr. <i>Le Lacheur</i> , |
| Mr. <i>Dalziel</i> , | Mr. <i>Macfarlane</i> , |
| Mr. <i>D. Macdonald</i> , | Mr. <i>Fraser</i> . |

NAYS:

| | |
|------------------------|-------------------------|
| Hon. Mr. <i>Pope</i> , | Mr. <i>Montgomery</i> , |
| Mr. <i>Palmer</i> , | Mr. <i>Longworth</i> . |
| Mr. <i>Hudson</i> , | |

So it was carried in the affirmative.

The main motion, as amended, was then put and carried.

A Message from the Legislative Council, by Mr. Desbrisay :

Mr. Speaker ;

The Legislative Council have passed the Bill intituled *An Act to further continue for one year and to amend an Act passed in the Seventh year of the Reign of His late Majesty King William the Fourth, for raising a Revenue in this Island.*

And then he withdrew.

Then the House adjourned for one hour.

And being met—

Resolved, That an Address be presented to His Excellency the Lieutenant Governor, thanking him for the several Messages and Documents communicated to the House by His Excellency during the last and present Sessions.

Ordered, That Mr. D. Macdonald, Mr. Macneill and Mr. Rae be a Committee to prepare and report a draught of the said Address.

The Bill to amend an Act, 7 Will. 4, cap. 23, for regulating Pounds, was, according to order, read a second time.

Ordered, That the said Bill be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Thomson took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thomson reported, that the Committee had gone through the Bill, and had made several amendments thereto; which amendments were again read at the Clerk's Table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed, and that the Title be, *An Act to amend a certain Act therein mentioned, relating to Pounds.*

The Order of the Day, for the House in Committee, to consider further of a Supply, being read;

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

The Hon. J. S. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Hon. J. S. Macdonald reported, that the Committee had come to several Resolutions,

which he was directed to submit to the House whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Resolved, That this House do now resolve itself into a Committee of the whole House, on the consideration of all matters relating to Roads and Bridges.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Palmer took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Palmer reported, that the Committee had come to several Resolutions; which Resolutions were again read at the Clerk's Table, and are as follow :

1. *RESOLVED*, That it is the opinion of this Committee, that the moneys to be appropriated for the service of Roads and Bridges, be expended agreeably to the following scale, viz :

PRINCE COUNTY.

District No. 1—North Section.

| | | | |
|--|-----|---|---|
| Bridge to be built at Tignish, and repair of | | | |
| Road from said Bridge to Kildare Bridge, | £60 | 0 | 0 |
| Roads and Bridges, Lot 11, - - - | 30 | 0 | 0 |

South Section.

| | | | |
|---|----|---|---|
| Road from Maclean's Mill to Western Road, | 60 | 0 | 0 |
| Road on Lot 7, where most wanted, - | 10 | 0 | 0 |
| Road on Lot 8, ditto, - | 10 | 0 | 0 |
| Road on Lot 12, ditto, - | 10 | 0 | 0 |
| Road and Bridge from Port Hill to Bideford | | | |
| Yard, - - - - | 18 | 0 | 0 |
| Road leading from Cross Rivers, Lot 14, | | | |
| towards the Western Road, - - | 10 | 0 | 0 |
| Road and Bridge, from Lot 14 Chapel towards | | | |
| Frederick Macdonald's, - - - | 8 | 0 | 0 |

District No. 2.

| | | | |
|---|-----|---|---|
| Repairing Ellis River Bridge, - | 15 | 0 | 0 |
| Road from Lot 15 to Abraham's Village, - | 6 | 0 | 0 |
| Ditto from Quagmire to Egmont Bay, - | 7 | 0 | 0 |
| Ditto from Mascouche to Lot 15, - | 7 | 0 | 0 |
| Ditto from Macgregor's to South West Ferry, | 4 | 0 | 0 |
| For a Bridge near Malcolm Ramsay's, sen. | | | |
| Lot 17, - - - - | 9 | 0 | 0 |
| For a Road from Rogers' towards Alex. Camp- | | | |
| bell's, Lot 16, - - - - | 6 | 0 | 0 |
| Towards finishing the Main Western Road, | 150 | 0 | 0 |

District No. 3.

| | | | |
|--|----|---|---|
| Road from New London to Darnley, - | 18 | 0 | 0 |
| Ditto from Princetown to Charlottetown, - | 10 | 0 | 0 |
| Ditto from Barrett's, Cross Roads, to Irishtown, | 6 | 0 | 0 |
| Bridge on the Baltic River, - - - | 5 | 0 | 0 |

| | |
|----------------------------------|--------|
| Fermoy Road and Bridge, - - | 6 0 0 |
| Bridge at Jamieson's Mill, - - | 5 0 0 |
| Roads in Princetown Royalty, - - | 10 0 0 |
| Wilmot Creek Bridge, - - | 30 0 0 |

District No. 4.

| | |
|---|----------|
| In aid of opening a Road from the lower Road to Crapaud to James Wood's, - | 10 0 0 |
| In aid of repairing the Aboiteau at Tryon, - | 20 0 0 |
| Road above Gouldrup's Mill, to Tryon, - | 5 0 0 |
| In aid of opening and repairing Road from Barclay's, on Lot 26, towards Bedeque, - | 5 0 0 |
| For raising a Bridge near Deagan's, Lot 28, - | 5 0 0 |
| For completing Dunk River Causeway, - | 20 0 0 |
| For completing that part of the Road from Burns's, Lot 25, towards New London (being in Prince County), - | 20 0 0 |
| Repairing South Shore Road, on Lot 27, - | 5 0 0 |
| | £600 0 0 |

QUEEN'S COUNTY.

District No. 5.

| | |
|---|--------|
| Road from New Glasgow to Fyfe's Ferry, - | 12 0 0 |
| Bridge over Doiron's Creek, Rustico, - | 20 0 0 |
| Ditto over Buckingham's Mill Brook, - | 5 0 0 |
| Road from New Glasgow to Bagnall's, - | 15 0 0 |
| Bridge over Cousins's Mill Dam, and levelling the road at each end thereof, - | 15 0 0 |
| Cutting down the Hills opposite Adams's Farm, on the road from New London to Darnley, - | 5 0 0 |
| Road from Grenville Mills to Campbelltown, - | 11 6 8 |

District No. 6.

| | |
|--|--------|
| To erect a new Bridge across Hyde's Mill Dam, - | 20 0 0 |
| To repair Dog River Bridge, - | 4 0 0 |
| Road leading from the Tryon Road through Bannockburn Settlement, - | 8 0 0 |
| Road and Bridges between Mackie's Creek and Macneill's Creek, - | 12 0 0 |
| In aid of a new Road from Bearisto's Ferry to Dog River Bridge, - | 7 0 0 |
| Road leading from Long Creek towards Bonshaw, - | 6 0 0 |
| Ditto leading from Elliot River Bridge, through Lot 39, to the Gulf Shore, - | 10 0 0 |
| In aid of completing the new road from Mabey's to Tod's Mill, - | 26 6 8 |

District No. 7.

| | |
|---|--------|
| For putting a new cover on Wright's Bridge, and repairing the St. Peter's Road, - | 30 0 0 |
| Winsloe Road, - | 10 0 0 |
| Union Road, - | 5 0 0 |
| Brackley Point Road, - | 10 0 0 |
| Poplar Island Bridge, - | 5 0 0 |
| For a small Bridge on the Princetown Road, - | 3 6 8 |
| Repairing a Bridge above Matthewson's Mill Dam, Lot 33, - | 10 0 0 |

District No. 8.

| | |
|--|--------|
| To repair Big Bridge, on the Suffolk road, - | 11 6 8 |
| Auld's Mill Bridge, - | 6 0 0 |
| Road from Stanhope to Corranban, - | 10 0 0 |
| Ditto from Sandhills to Point De Rouge, - | 8 0 0 |
| To repair Corranban Bridge, and the road leading from Corranban to the St. Peter's Road, - | 15 0 0 |
| Road between Pisquid and Vernon River, - | 8 0 0 |
| In aid of a Bridge across Duffy's Creek, and repairing the road South side Hillsborough, - | 10 0 0 |
| Bridging Britt's Swamp, and improving the public road, Monaghan Settlement, - | 15 0 0 |

District No. 9.

| | |
|---|--------|
| To erect a Bridge on Crooked Creek, on the road from Orwell Head to Milford, - | 12 0 0 |
| Road from the Point, East side Seal River, to the main road, - | 6 0 0 |
| To open and improve the central Gallows Point Road to J. McInnis, senior's, Farm, - | 8 0 0 |
| To repair the road leading from Georgetown Road to the Back Settlement, Birch Hill, Lot 49, - | 6 0 0 |
| To complete the Road from China Point Ferry to Cherry Valley, - | 12 0 0 |
| In aid of a Bridge over Duffy's Creek, South side Hillsborough, - | 10 0 0 |
| To repair Hayden's Bridge, near Redmond's, Vernon River, - | 4 0 0 |
| Mill Creek Bridge, - | 4 0 0 |
| Acorn's Bridge, - | 2 10 0 |
| Seal River Bridge, - | 2 3 4 |

District No. 10.

| | |
|---|--------|
| To erect a new Bridge on Portree Creek, in addition to last year's appropriation, unexpended, - | 47 0 0 |
| To repair the Big Bridge, Rasay Settlement, Murray Harbour Road, - | 10 0 0 |
| To erect a new Bridge, Little Sands Road, towards County Line, - | 7 10 0 |
| To erect a new Bridge on Montague River, Newton Back Settlement, - | 30 0 0 |
| In aid of building a Slip or Hard at the end of the old Road, Macleod's Creek, above Orwell Bridge, - | 3 0 0 |
| To repair Semple's Bridge, Murray Harbour Road, - | 2 10 0 |

£500 0 0

KING'S COUNTY.

District No. 11.

| | |
|---|--------|
| Repairing the Bridge at the head of the Hillsborough, - | £7 0 0 |
| Road from the high road to Charles Dingwell's, - | 7 0 0 |
| For raising Marie Bridge, - | 5 0 0 |

| | | | | | | | |
|--|----|---|---|---|----|---|----------|
| Road from the County Line to M'Dermot's, | 8 | 0 | 0 | Road lately opened from Lot 45 Mill Road, | | | |
| Cardigan Road, - - - | 15 | 0 | 0 | to the line Road between Lots 43 and 44, | | | |
| Road from the head of St. Peter's Bay to the | | | | by Souris Mills, - - - | 15 | 0 | 0 |
| line of Lot 42, on the Bay Fortune Road, | 7 | 0 | 0 | <i>District No. 14.</i> | | | |
| Road from St. Peter's Bay to Cablehead, by | | | | In aid of making a Road from the head of | | | |
| Leslie's Mill, - - - | 8 | 0 | 0 | Grand River to Cardigan Ferry, - | 8 | 0 | 0 |
| Road from Donovan's to Whelan's, on the | | | | For a Bridge on the same line of road over | | | |
| High Road, Lot 41, - - - | 5 | 0 | 0 | Seal River, - - - | 10 | 0 | 0 |
| For repairing Morel Bridge, - | 38 | 0 | 0 | Road from the head of Cardigan to Seal River, | 7 | 0 | 0 |
| <i>District, No. 12.</i> | | | | Road from M'Lean's, head of Montague River, | | | |
| For repairing Bay Fortune Bridge, - | 10 | 0 | 0 | to Buck's Road, - - - | 7 | 0 | 0 |
| Road from the Red-house to the line of Lot | | | | Road from M'Lean's Road, on Buck's Road, to | | | |
| 42, St. Peter's Bay Road, - - - | 25 | 0 | 0 | the end of Montague Bridge, (North side) | 7 | 0 | 0 |
| Road from George Banks's to the Red-house, | 10 | 0 | 0 | To open Buck's Road—to commence at Spar- | | | |
| Road from James Coffin's to the head of Rollo | | | | row's, - - - | 12 | 0 | 0 |
| Bay - - - | 5 | 0 | 0 | Georgetown Main Road, - - - | 15 | 0 | 0 |
| Road from the head of Rollo Bay to Dingwell's | | | | Bridge at Eighteen-mile brook, - | 15 | 0 | 0 |
| Mill - - - | 13 | 0 | 0 | Road from the head of Cardigan to St. Peter's, | 15 | 0 | 0 |
| Road from Cooper's Mill to the head of Grand | | | | Road from M'Donald's, Grand River, towards | | | |
| River, and from thence to Little Brook, | | | | the Cardigan Ferry (if wanted), - | 4 | 0 | 0 |
| Bay Fortune Road, - - - | 10 | 0 | 0 | <i>District No. 15.</i> | | | |
| M'Caskil's River Bridge, - - - | 4 | 0 | 0 | For erecting a New Bridge on South River, | 70 | 0 | 0 |
| Fox River Bridge, - - - | 5 | 0 | 0 | Mink River Road, - - - | 30 | 0 | 0 |
| Hollow River Bridge, - - - | 3 | 0 | 0 | | | | |
| Cow River Bridge, - - - | 5 | 0 | 0 | | | | £500 0 0 |
| Road from Grand River Road, past Joseph | | | | 2. RESOLVED, That the sums unexpended of the former | | | |
| Dingwell's, to Little River Ferry, - | 10 | 0 | 0 | appropriations for Queen's County, be applied as formerly | | | |
| And the sums unexpended of former appropriations | | | | directed, with the exception of Twelve Pounds, voted in the | | | |
| to be applied for the purposes for which they have | | | | Session of 1838, towards the construction of a Slip on the | | | |
| been appropriated. | | | | South side of Elliot River, at the end of the Ferry Road, | | | |
| <i>District, No. 13.</i> | | | | Lot 65, and that the same be applied on the new line of | | | |
| Road from Campbell's, Rollo Bay, to the High- | | | | road between Mabey's and Tod's Mill. | | | |
| road, - - - | 4 | 0 | 0 | 3. RESOLVED, That the sums unexpended of former ap- | | | |
| Road from Sutherland's to Donald M'Phee's, | | | | propriations for South River Bridge, King's County, be | | | |
| Little Harbour, - - - | 10 | 0 | 0 | applied for the purpose for which they were originally | | | |
| Bridge at Alexander Scott's, - | 4 | 0 | 0 | intended; and that the sum of £5, which has been ap- | | | |
| To make straight and repair the Road from the | | | | propriated for the Road from Aitken's to Wightman's, be | | | |
| Portage Road to East Point (South Side), | 20 | 0 | 0 | applied for that purpose—to commence at Aitken's. | | | |
| Murray's Mill Bridge, - - - | 5 | 0 | 0 | And the said Resolutions being again read | | | |
| North Lake Bridge, - - - | 5 | 0 | 0 | throughout, were, upon the question put there- | | | |
| Bridge at East Point Chapel, - | 3 | 0 | 0 | on, agreed to by the House. | | | |
| Mill Road through Lot 45, - | 20 | 0 | 0 | Then the House adjourned until to-morrow, | | | |
| Line Road between Lots 43 and 44, - | 10 | 0 | 0 | at Eleven o'clock. | | | |
| To bridge a Creek at John Gregory's, Souris, | 4 | 0 | 0 | | | | |

TUESDAY, April 9, 1839.

MR. D. MACDONALD, from the Committee appointed to prepare and report the draught of an Address to His Excellency the Lieutenant Governor, thanking him for the several Messages and Documents communicated by His Excellency to the House, during the last and present Sessions, presented to the House the draught of an Address, as prepared by the Committee; and the said draught Address being again read at the Clerk's Table, was agreed to by the House, and is as followeth:

To His Excellency Sir CHARLES AUGUSTUS FITZ ROY, K. H., Lieutenant Governor and Commander-in-Chief in and over Her Majesty's Island Prince Edward, and its Dependencies, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

May it please your Excellency;

The House of Assembly beg leave respectfully to thank your Excellency for the several Messages, Despatches and other Documents communicated to the House during the last and present Sessions; and beg to assure your Excellency, that after mature consideration, they have anxiously endeavoured to meet the wishes of Her Majesty's Government and of your Excellency, on the subjects to them referred, as far as a due regard to the best interests of the Colony could suggest.

Ordered, That the said Address be engrossed.

Ordered, That the Committee who prepared the Address be a Committee to wait upon His Excellency with the same.

Read a third time, as engrossed, the Bill intituled *An Act to amend the Act for the encouragement and support of District and other Schools*.

The Hon. Mr. Pope proposed an amendment to the Bill, in Section 3, line 2, by leaving out after the word "sickness," the words "or otherwise."

The House divided on the question:

YEAS:

| | |
|----------------|----------------|
| Hon. Mr. Pope, | Mr. Palmer, |
| Mr. Thomson, | Mr. Longworth. |

NAYS:

| | |
|-------------------|-----------------------|
| Mr. Fraser, | Mr. Dalziel, |
| Mr. Beck, | Hon. J. S. Macdonald, |
| Mr. Gorman, | Mr. Macneill, |
| Mr. W. Dingwell, | Mr. Forbes, |
| Mr. Macintosh, | Mr. J. Dingwell, |
| Mr. Arbuckle, | Mr. Rae, |
| Mr. Macfarlane, | Mr. Hudson. |
| Mr. D. Macdonald, | |

So it passed in the negative.

Mr. D. Macdonald proposed to amend the Bill, in Section 3, by inserting, after the word "Teachers," in the 7th line, "by and with the consent of two-thirds of his or their employers," which being seconded and put, was carried in the affirmative—and the Bill was amended at the Table accordingly.

A motion being made to resolve "that the Bill do pass;"

The House again divided:

YEAS:

| | |
|-------------------|-----------------------|
| Mr. D. Macdonald, | Mr. Macfarlane, |
| Mr. Arbuckle, | Mr. Macintosh, |
| Mr. W. Dingwell, | Mr. Gorman, |
| Mr. Beck, | Mr. Fraser, |
| Mr. Hudson, | Mr. Rae, |
| Mr. J. Dingwell, | Mr. Forbes, |
| Mr. Macneill, | Hon. J. S. Macdonald, |
| Mr. Dalziel, | Mr. Thomson. |
| Mr. Le Lacheur, | |

NAYS:

| | |
|----------------|-------------|
| Hon. Mr. Pope, | Mr. Palmer. |
| Mr. Longworth, | |

So it was carried in the affirmative; and

Resolved, accordingly.

Ordered, That Mr. Le Lacheur do carry the said Bill to the Legislative Council, and desire their concurrence.

A Message from the Legislative Council, by Mr. Desbrisay:

"Mr. Speaker;

"The Legislative Council desire a Conference with the House of Assembly, on the Bill intituled *An Act relating to Treasury Warrants*; and have appointed the Honorables Mr. Brecken and Mr. Dalrymple a Committee to manage the said Conference—to meet in the Committee Room to-morrow, at Two o'clock.

"Council Chamber,
Monday, 8th April, 1839."

And then he withdrew.

Resolved, That this House do agree to a Conference, as is desired by the Legislative Council, on the Bill intituled *An Act relating to Treasury Warrants*.

Ordered, That Mr. Palmer do go to the Council, and acquaint them therewith.

Ordered, That Mr. Palmer, Mr. Longworth, the Hon. Mr. Pope and the Hon. J. S. Macdonald be a Committee to manage the said Conference.

Mr. Longworth, from the Committee appointed to examine what Laws have lately expired, or are near expiring, presented to the House the Report of the said Committee; which Report was again read at the Clerk's Table, and is as followeth:

"Your Committee have to report, that the Act, 8 Geo. 4, cap. 7, intituled *An Act to continue and amend an Act passed in the Fifty-*

ninth year of His late Majesty's Reign, intituled 'An Act to regulate the Sale of the Interest of Leaseholders, when taken in Execution,' expired on the last day of the Session of the year 1838.

Ordered, That the Report be received.

Resolved, That a Committee be appointed, to prepare and bring in a Bill to revive and continue the Act, 8 Geo. 4, cap. 7, for regulating the sale of the Interest of Leaseholders, when taken in Execution.

Ordered, That Mr. Longworth and Mr. Palmer do compose the said Committee.

The time for holding the Conference with the Legislative Council, on the Bill intituled *An Act relating to Treasury Warrants*, having arrived;

And the names of the Managers being called over, they went to the Conference.

And being returned—

The Hon. Mr. Pope reported, that the Managers had been at the Conference, and he stated the substance thereof to the House.

Then the House adjourned for one hour.

And being met—

Mr. Thomson, from the Committee appointed to prepare and bring in a Bill for providing Buoys and Beacons for certain Harbours in this Island, and for other purposes, presented to the House a Bill, as prepared by the Committee; and the same was read the first time.

Ordered, That the said Bill be read a second time to-morrow.

Resolved, That a further Conference be desired with the Legislative Council, on the subject matter of the last Conference.

Ordered, That Mr. Longworth do go to the Council, and desire the said Conference.

Ordered, That the same Committee who managed the last Conference be a Committee to manage this further Conference.

The Hon. J. S. Macdonald, from the Committee of the whole House, on the consideration of Supplies for the public service, reported, according to order, the Resolutions of the said Committee; and the said Resolutions were again read at the Clerk's Table, and are as follow:—

1. **RESOLVED,** That it is the opinion of this Committee, that a sum not exceeding Five hundred Pounds be granted, to defray the Salary of the Colonial Treasurer, for the present year.

2. **RESOLVED,** That it is the opinion of this Committee, that the sum of Two hundred and sixty Pounds be granted, to defray the salary of the Collector of Impost for the District of Charlottetown, for the present year.

3. **RESOLVED,** That it is the opinion of this Committee, that a sum not exceeding One hundred and sixty Pounds be granted, to defray the salaries of the Sub-Collectors of Customs, for the present year.

4. **RESOLVED,** That it is the opinion of this Committee, that a sum not exceeding One hundred and sixty Pounds be granted, to defray the salaries of the Commissioners of Highways, for the present year.

5. **RESOLVED,** That it is the opinion of this Committee, that a sum not exceeding Thirty Pounds be granted, and paid to the person appointed to correspond with the Road Commissioners, for the present year.

6. **RESOLVED,** That it is the opinion of this Committee, that the sum of Thirty-six Pounds, or as much thereof as may be necessary, be granted, to defray the allowance to persons appointed under the Act, 7 Will. 4, cap. 7, for the protection of the Herring and Alewives' Fisheries.

7. **RESOLVED,** That it is the opinion of this Committee, that a sum not exceeding Seventy-five Pounds be granted, to defray the salary of the Officer appointed under the Act, 3 Will. 4, cap. 39, for receiving the returns from the Commanders of Militia regiments and battalions.

8. **RESOLVED,** That it is the opinion of this Committee, that a sum not exceeding Thirty Pounds be granted, to defray the salary of the Wharfinger of the public Wharf at Charlottetown, for the present year.

9. **RESOLVED,** That it is the opinion of this Committee, that a sum not exceeding Forty Pounds be granted, to defray the salary of the Clerk of the Market at Charlottetown, for the present year.

10. **RESOLVED,** That it is the opinion of this Committee, that the sum of Ten Pounds be granted, and paid to the Assayer of Weights and Measures for Charlottetown, in lieu of office rent and other contingent expenses, for the present year.

11. **RESOLVED,** That it is the opinion of this Committee, that a sum not exceeding Forty Pounds be granted, to defray the salary of the Messenger of the Executive Council, Crier of the Supreme Court, and Tipstaff in Chancery, for the present year.

12. **RESOLVED,** That it is the opinion of this Committee, that the sum of Two hundred and fifty Pounds be granted, to defray the contingent expenses of the Government for the present year.

13. **RESOLVED,** That it is the opinion of this Committee, that a sum not exceeding Two hundred and fifty Pounds be granted, to defray the expence of public Printing and Stationery, for the present year.

14. RESOLVED, That it is the opinion of this Committee, that a sum not exceeding One hundred and thirty Pounds be granted, to defray the Fees of the Colonial Secretary; and a further sum of One hundred and thirty Pounds, to defray the Fees of the Clerk of the Council, should these sums be required, during the present year.

15. RESOLVED, That it is the opinion of this Committee, that a sum not exceeding Four hundred and fifty Pounds be granted, to defray the cost of Crown Prosecutions, including fees of Crown Officers—and a sum not exceeding Fifty Pounds for Crown Officers' fees for other purposes, should the same be required, for the present year.

16. RESOLVED, That it is the opinion of this Committee, that a sum not exceeding One hundred Pounds be granted, to defray the Chief Justice's travelling charges, for the present year.

17. RESOLVED, That it is the opinion of this Committee, that the sum of Three hundred and fifty pounds be granted, to defray the Interest payable on Treasury Warrants at the Treasury, agreeable to law.

18. RESOLVED, That it is the opinion of this Committee, that the sum of One hundred Pounds be granted, and placed at the disposal of the Lieutenant Governor, for carrying into effect the Quarantine regulations, should the same be required, for the present year.

19. RESOLVED, That it is the opinion of this Committee, that a sum not exceeding Sixty Pounds be granted, to defray the salaries of the High Sheriffs of the different Counties, for the present year.

20. RESOLVED, That it is the opinion of this Committee, that a sum not exceeding Two hundred Pounds be granted, to defray the Sheriffs' expenses for the Jails of King's, Prince and Queen's Counties.

21. RESOLVED, That it is the opinion of this Committee, that a sum not exceeding One hundred Pounds be granted, to provide Fuel and Bread for the three County Jails, for the present year.

22. RESOLVED, That it is the opinion of this Committee, that a sum not exceeding Forty Pounds be granted, to defray the Salary of the Keeper of the Jail at Charlottetown, for the present year.

23. RESOLVED, That it is the opinion of this Committee, that a sum not exceeding Sixty Pounds be granted, to defray the salaries of the Keepers of the Jails at St. Eleanor's and Georgetown, for the present year.

24. RESOLVED, That it is the opinion of this Committee, that the sum of Ten Pounds be granted, and paid to the Medical Attendant of Charlottetown Jail, for his services, and for supplying the Prisoners with Medicines, for the present year.

25. RESOLVED, That it is the opinion of this Committee, that the sum of Four Pounds be granted, and paid to the Medical Attendant of the Jail at Georgetown, and for supplying Medicines, for the present year.

26. RESOLVED, That it is the opinion of this Committee, that there be granted and paid to the Medical Attendant

of the Jail in Prince County, the sum of Four Pounds, if required.

27. RESOLVED, That it is the opinion of this Committee, that there be granted a sum sufficient to defray the salary of the Matron of the Jail at Charlottetown, for the present year, if the same be required.

28. RESOLVED, That it is the opinion of this Committee, that the sum of Twenty Pounds be granted, and placed at the disposal of His Excellency the Lieutenant Governor, to defray the expence of completing certain alterations necessary for the separation of Prisoners in the Jail of Charlottetown.

29. RESOLVED, That it is the opinion of this Committee, that a sum not exceeding Five hundred Pounds be granted, to defray the expence of conveying the Mails, by means of Steam navigation, for the present year, under the provisions of the Act of 6 Will. 4, cap. 11.

30. RESOLVED, That it is the opinion of this Committee, that a sum not exceeding One hundred and Fifty Pounds be granted, to defray the expence of conveying the Winter Mails to and from the Province of Nova Scotia.

31. RESOLVED, That it is the opinion of this Committee, that a sum not exceeding Two hundred and forty Pounds be granted, to defray the expence of conveying the Inland Mails, for the present year.

32. RESOLVED, That it is the opinion of this Committee, that a sum not exceeding Twenty Pounds be granted, and paid to Elizabeth Chappell, for conducting the business of the Inland Mails, for the past year.

33. RESOLVED, That it is the opinion of this Committee, that the sum of One thousand six hundred Pounds be granted, for the service of Roads and Bridges, for the present year, and apportioned as follows—(that is to say)—the sum of One hundred Pounds towards completing the Main Western Road, and the remainder to be equally divided between the three Counties.

34. RESOLVED, That it is the opinion of this Committee, that a sum not exceeding One hundred Pounds be granted, to defray the incidental repairs of Roads and Bridges, for the present year—to be equally apportioned among the Counties.

35. RESOLVED, That it is the opinion of this Committee, that the sum of One hundred Pounds be granted, for further opening the Road from Cardigan River towards Mount Stewart.

36. RESOLVED, That it is the opinion of this Committee, that the sum of One hundred and twenty Pounds be granted, in aid of erecting a new Bridge over the Hillsborough, at Mount Stewart Ferry.

37. RESOLVED, That it is the opinion of this Committee, that the sum of Twenty Pounds, or as much thereof as may be necessary, be granted, for the completion of the Road from Monaghan to the Georgetown Road, should the sum assessed under the Road Compensation Act prove insufficient.

38. **RESOLVED**, That it is the opinion of this Committee, that the sum of Thirty Pounds be granted, towards the repair of the Aboiteau at Tryon River, on condition of the inhabitants subscribing and placing in the hands of the Road Commissioner for that District, the sum of Forty Pounds, in aid of that object.

39. **RESOLVED**, That it is the opinion of this Committee, that a sum not exceeding Twelve Pounds be granted, to defray the expence of exploring and marking out the most eligible direction for a Road from Townships 23 and 29, to the Scotch Settlement, on Township 67.

40. **RESOLVED**, That it is the opinion of this Committee, that the sum of Fifteen Pounds be granted, to purchase the right of way from the Highway, at West River, Lot 47, to the shore, near the mouth of the Harbour, where the Road Commissioner for the District may judge the same will be most convenient for public accommodation, providing the individual or individuals through whose land the same may be laid off consent to accept of the above as a full compensation.

41. **RESOLVED**, That it is the opinion of this Committee, that the sum of Thirty-five Pounds be granted, to purchase a right of way from John Clark, at Cape Traverse; and a further sum of Fifteen Pounds, to be paid to John Mutart, Cape Traverse, for the like purpose.

42. **RESOLVED**, That it is the opinion of this Committee, that the sum of Seven Pounds Ten Shillings be granted, to purchase a right of way through lands belonging to Widow Praught, when the sum of Seven Pounds Ten Shillings is paid by the Proprietor of the adjoining land.

43. **RESOLVED**, That it is the opinion of this Committee, that the sum of Twenty Pounds be granted, to purchase a right of way through the farm of William Mackie, Elliot River, to complete the Settlement Road on the South side of said River, by carrying the same out to his Creek, on the course already laid off by order of the Governor and Council.

44. **RESOLVED**, That it is the opinion of this Committee, that the sum of Four Pounds be granted, and paid to Lauchlan MacLeod, Charlottetown Royalty, as a compensation for damage sustained by him by the running of the new line of the Princetown Road through his Farm.

45. **RESOLVED**, That it is the opinion of this Committee, that the sum of Two Pounds be granted, and paid to Thomas Barrett, of Lot 37, on his producing a Certificate from Mr. Allan Macdonald, of Allisary, of his having landed the materials of the old Bridge at Mount Stewart.

46. **RESOLVED**, That it is the opinion of this Committee, that the sum of Twenty Pounds be granted, in aid of building a Wharf at Milford Shipyard, Orwell River, as soon as the inhabitants shall have advanced the sum of Sixteen Pounds towards the erection of said Wharf.

47. **RESOLVED**, That it is the opinion of this Committee, that a sum not exceeding Fifteen Pounds be granted, for repairing the Wharf at Hope River, providing that the

inhabitants who are benefited by the wharf shall put it in a thorough state of repair.

48. **RESOLVED**, That it is the opinion of this Committee, that the sum of Fifteen Pounds be granted, to defray the expence of erecting a Hard or Wharf at the South side of the Harbor of Georgetown, at the place nearest to the Queen's Wharf of Georgetown, where the same can be finished at the least cost to the public, and be safe from any damage by ice—being at Mr. John Peters's shore, westward of his house.

49. **RESOLVED**, That it is the opinion of this Committee, that the sum of Ten Pounds be placed at the disposal of the Lieutenant Governor, towards the building of a Horse Boat for Ellis River Ferry.

50. **RESOLVED**, That it is the opinion of this Committee, that the sum of One hundred and fifty Pounds be granted, and placed at the disposal of the Lieutenant Governor, to defray the expence of placing Buoys and Beacons at certain Harbours in this Island.

51. **RESOLVED**, That it is the opinion of this Committee, that the sum of Three hundred and twenty-nine Pounds four Shillings and five pence be granted, to defray the expenditure incurred in and about Government House, during the past year.

52. **RESOLVED**, That it is the opinion of this Committee, that a sum not exceeding One hundred and fifty Pounds sixteen shillings be granted, to defray the estimated expence of certain repairs and additions to the out-buildings on the Government farm, for the present year.

53. **RESOLVED**, That it is the opinion of this Committee, that the sum of Thirty Pounds be granted, to defray the expence of Painting the Court House of Charlottetown, and other necessary repairs to that building.

54. **RESOLVED**, That it is the opinion of this Committee, that the sum of Twenty Pounds, or as much thereof as may be necessary, be granted, to defray the expence of Plans and Estimates of Public Works, during the present year.

55. **RESOLVED**, That it is the opinion of this Committee, that the sum of Three hundred Pounds be granted, to defray the Bounties on Vessels engaged in the Fisheries of this Island, under the Act, 2 Vict. cap. 6.

56. **RESOLVED**, That it is the opinion of this Committee, that the sum of Forty Pounds be granted, to defray the amount of Premiums allowed by law for the destruction of Bears and Loupcerviers, for the present year.

57. **RESOLVED**, That it is the opinion of this Committee, that the sum of One hundred and Fifty Pounds be granted, for the encouragement of Agriculture in the Colony; namely, Fifty Pounds to each County; and that the sum for the County of Queen's County be equally distributed between the Central and the Independent Societies; that Twenty-five Pounds be granted to each of the Societies in King's County; and that the Fifty Pounds for Prince County be equally divided among the four Societies already established in that County.

58. **RESOLVED**, That it is the opinion of this Committee, that the sum of Twenty Pounds be granted, and paid to the Office-bearers of the Charlottetown Mechanics' Institute, in aid of the funds of that Institution.

59. **RESOLVED**, That it is the opinion of this Committee, that the sum of Ten Pounds be granted, and paid to William Smallwood, of Lot 48, for his improvement on a Horse-power Machine.

60. **RESOLVED**, That it is the opinion of this Committee, that the sum of One hundred and twenty-five Pounds be granted, and paid to J. H. White, to reimburse him in the expences he was put to in defending an Action brought against him by the Commissioners appointed under the Act of 3 Will. 4, cap. 24, for reprinting the Laws—provided he will accept of this amount in full of any claim he may suppose he has on account of his contract for printing the Laws.

61. **RESOLVED**, That it is the opinion of this Committee, that the sum of Ten Pounds be granted, and paid to James B. Cooper & Co., to reimburse them for the amount of Colonial Duties paid by them on the importation of a new Iron Printing Press and Printing Materials from the United States.

62. **RESOLVED**, That it is the opinion of this Committee, that the sum of Four Pounds eleven shillings and three pence one half-penny be granted, and paid to the Treasurer of the Prince Edward Island Auxiliary Bible Society, being a remission of Impost Duties on certain Bibles, Testaments, &c. imported by that Society last year.

63. **RESOLVED**, That it is the opinion of this Committee, that a sum not exceeding One thousand Pounds be granted, for carrying into effect the Act for the encouragement and support of District and other Schools, including the allowance to St. Andrew's College.

64. **RESOLVED**, That it is the opinion of this Committee, that a sum not exceeding Three hundred Pounds be granted, to defray the Salaries of the two Masters of the Central Academy, for the present year.

65. **RESOLVED**, That it is the opinion of this Committee, that a sum not exceeding Twenty-five Pounds be granted, to defray the Salary of the Master of the National School at Charlottetown, for the present year.

66. **RESOLVED**, That it is the opinion of this Committee, that the sum of Seven Pounds ten shillings be granted to Hannah Bullpitt, for conducting a preparatory School in Charlottetown.

67. **RESOLVED**, That it is the opinion of this Committee, that the sum of Twenty-four Pounds be granted, and paid to John Arbuckle, for his services as a Teacher, including any sum to which he may be by Law entitled, for his services in that capacity, up to April 28, 1839.

68. **RESOLVED**, That it is the opinion of this Committee, that the sum of Thirty-nine Pounds one shilling and six-pence, being the unclaimed proceeds of Water Lot No. 15, in Georgetown, sold by the Assessors of the said Town, and paid into the Treasury, be granted, and paid to the Trus-

tees of the School in Georgetown, so soon as the sum of Forty Pounds is subscribed, and paid into their hands, for the like purpose, to aid in the erection of a School-house, in the said Town.

69. **RESOLVED**, That it is the opinion of this Committee, that there be granted, and placed at the disposal of the Lieutenant Governor, a sum sufficient to defray the contingent expences of the Legislative Council and Assembly, for the past and present Sessions.

70. **RESOLVED**, That it is the opinion of this Committee, that there be granted, and paid to the Speaker of this House, the sum of Sixty Pounds; and to each of the Members, the sum of Thirty Pounds, to indemnify them for their disbursements while attending the sittings of the House of Assembly, during the late and present Sessions, with travelling charges, at the rate of Eightpence per mile, for one journey to and from the same—deducting a proportionate rate for each and every day absent, except when sick, and under the charge of a physician.

71. **RESOLVED**, That it is the opinion of this Committee, that the sum of Sixty-four Pounds sixteen shillings be granted, and paid to William Cooper, Esq., the sum of Sixty-three Pounds sixteen shillings to John Macintosh, Esq. and the sum of Sixty-three Pounds, eight shillings to John W. Le Lacheur, Esq., to indemnify them for their disbursements in attending the House of Assembly during the Sessions in the years 1837 and 1838.

72. **RESOLVED**, That it is the opinion of this Committee, that the sum of Forty-five Pounds three shillings and two-pence half-penny be granted, and placed at the disposal of the Lieutenant Governor, to defray the amount due for the purchase of Books for the use of the Legislature.

73. **RESOLVED**, That it is the opinion of this Committee, that a sum not exceeding Fifteen Pounds be granted, and paid to Charles Young, Esq. for his professional services to the Committee of Grievances, in the past and present Sessions.

74. **RESOLVED**, That it is the opinion of this Committee, that the sum of Six Pounds nineteen shillings and six-pence be granted, to defray the amount of Assessment on the Government Pews in the Episcopal Church.

75. **RESOLVED**, That it is the opinion of this Committee, that in the event of its being found necessary, before the close of the present Session, to delegate and appoint any two of the Members of this House to proceed to England to represent the grievances which the people of this Island have long laboured under, that there be granted, and paid to the Members so appointed and named as aforesaid, the sum of Five hundred Pounds, to indemnify them for their necessary and unavoidable expenses.

76. **RESOLVED**, That it is the opinion of this Committee, that a sum not exceeding Ninety Pounds, or as much thereof as may be necessary, be granted, and placed at the disposal of the Lieutenant Governor, for the maintenance and safe keeping of insane persons, for the present year.

77. RESOLVED, That it is the opinion of this Committee, that the sum of Ten Pounds be granted, and paid to Elizabeth Le Page, of Township Forty-nine, towards the support of her husband, Andrew Le Page, a lunatic.

78. RESOLVED, That it is the opinion of this Committee, that the sum of Five Pounds be granted, for the support of Amable Bernard, of Township Fifty, an aged and infirm pauper.

79. RESOLVED, That it is the opinion of this Committee, that the sum of Seven Pounds be granted, and placed at the disposal of John Dalziel, Esq., towards the support of John Griffin, and his sister, of Lot Sixty-one, who are in a state of idiocy.

80. RESOLVED, That it is the opinion of this Committee, that the sum of Ten Pounds be granted, and paid to Jesse De Roche, of Township Seventeen, for taking charge of William and Magdalen Holmes, two aged and infirm persons.

81. RESOLVED, That it is the opinion of this Committee, that the sum of Five Pounds be granted, and paid to Hercules Frieze, of New London, a blind person, towards his support.

82. RESOLVED, That it is the opinion of this Committee, that the sum of Five Pounds be granted, and paid to William McNeill, a blind person, residing in Prince County.

83. RESOLVED, That it is the opinion of this Committee, that the sum of Twelve Pounds be granted, and placed at the disposal of James Simpson, New London, for the support of three blind persons named Mackay.

84. RESOLVED, That it is the opinion of this Committee, that the sum of Five Pounds be granted, and placed at the disposal of James Simpson, for the support of Joseph A. Betture, an aged and infirm pauper.

85. RESOLVED, That it is the opinion of this Committee, that the sum of Five Pounds be granted, and paid to James Arthur, New Glasgow, for the support of Robert Winter, an insane person.

86. RESOLVED, That it is the opinion of this Committee, that the sum of Three Pounds be granted, and paid to Elizabeth Crew, of Crapaud, an aged person, in indigent circumstances.

87. RESOLVED, That it is the opinion of this Committee, that the sum of Five Pounds be granted, and paid to John Masters, Township No. 50, to aid him in the support of his son, who is an idiot, and who is also afflicted with epilepsy, and other infirmities.

88. RESOLVED, That it is the opinion of this Committee, that the sum of Three Pounds be granted, and paid to Robert Hancock, an aged and infirm individual, residing on Lot 15, Prince County.

89. RESOLVED, That it is the opinion of this Committee, that the sum of Twenty-nine Pounds be granted, and paid to the Ladies' Benevolent Society, to be by them expended in the following manner (that is to say)—for the relief of John MacNamara, of Charlottetown, a disabled Seaman,

the sum of Ten Pounds; and for the relief of James Conway, of Township No. 32, a blind person, the sum of Six Pounds; and for the relief of William Purcell, of Charlottetown, a blind person, the sum of Ten Pounds; and for the relief of Elizabeth Patience, senior, of St. Peter's Bay, Widow, the sum of Three Pounds.

90. RESOLVED, That it is the opinion of this Committee, that the sum of Twenty-nine Pounds be granted, and placed at the disposal of the Reverend John McLennan, to be by him applied as follows (that is to say)—for the relief of James Maddox, a blind person, Eight Pounds; for the relief of an idiot son of Mary McAulay, Widow, Ten Pounds; for the relief of Alexander, the son of Margaret Finlayson, an idiot, Eight Pounds; and for the relief of Christiana McPhee, an aged and infirm person, Three Pounds.

91. RESOLVED, That it is the opinion of this Committee, that the sum of Three Pounds be granted, and placed at the disposal of the Reverend John MacLennan, for the relief of Ann Macdonald, an aged and infirm person.

92. RESOLVED, That it is the opinion of this Committee, that the sum of Six Pounds be granted, and placed at the disposal of the Rev. Robert Douglas, St. Peter's, to be by him applied as follows (that is to say)—for the relief of John Smith, an aged person, Three Pounds; and for the relief of Christina Maceahern, Three Pounds.

93. RESOLVED, That it is the opinion of this Committee, that the sum of Nine Pounds ten shillings be granted, and placed at the disposal of the Rev. John Macdonald, St. Margaret's, to be by him applied as follows (that is to say)—for the relief of Thomas Devereux, a blind person, Four Pounds; for the relief of Elizabeth Brow, Two Pounds ten shillings; and to Angus McKellac, towards the support of his daughter, the sum of Three Pounds.

94. RESOLVED, That it is the opinion of this Committee, that the sum of Ten Pounds be granted, and placed at the disposal of Thomas Owen, Esquire, to be by him applied as follows (that is to say)—for the relief of William Johnston, Grand River, an infirm person, Five Pounds; and to Margaret Campbell, towards the support of her son, a lunatic, Five Pounds.

95. RESOLVED, That it is the opinion of this Committee, that the sum of Sixteen Pounds be granted, and placed at the disposal of the Honorable Peter S. MacNutt, to be by him applied as follows (that is to say)—for the relief of Daniel Quigley, a lame person, Five Pounds; for the relief of Mary Hickey, a lame girl, Three Pounds; for the relief of James Inglis, an aged and indigent person, Three Pounds; and for the relief of Anne Trueguard, an aged and infirm person, Five Pounds.

96. RESOLVED, That it is the opinion of this Committee, that the sum of Five Pounds be granted, and paid to Charles Russell, an aged and infirm person, in indigent circumstances, and formerly a Teacher in this Island.

97. RESOLVED, That it is the opinion of this Committee, that the sum of Five Pounds be granted, and paid to Archi-

bald Macniven, of Township Thirty, towards the support of two of his sons, in a state of idleness.

98. RESOLVED, That it is the opinion of this Committee, that the sum of Five Pounds be granted, and placed at the disposal of Francis Longworth, sen., Esq., to be by him paid to Joanna Redmond, towards the support of a lame daughter.

99. RESOLVED, That it is the opinion of this Committee, that the sum of Five Pounds be granted, and paid to John Ready, a blind person.

100. RESOLVED, That it is the opinion of this Committee, that the sum of Ten Pounds be granted, and paid to Malcolm McLeod, Scotch Settlement, Township Sixty-seven, to relieve him in his present distressed circumstances.

101. RESOLVED, That it is the opinion of this Committee, that the sum of Five pounds ten shillings be granted, and placed at the disposal of the Hon. Donald Macdonald, to be by him applied as follows (that is to say)—for the relief of Mary McLeod, Widow, Three Pounds; and to Rosanna Mitchell, towards the support of her husband, an afflicted and indigent person, the sum of Two pounds ten shillings.

102. RESOLVED, That it is the opinion of this Committee, that the sum of Three Pounds be granted, and paid to Nancy Kielly, towards the support of her husband, a person afflicted with mental derangement.

103. RESOLVED, That it is the opinion of this Committee, that the sum of Five Pounds be granted, and paid to James Jackson, an aged person, in indigent circumstances.

104. RESOLVED, That it is the opinion of this Committee, that the sum of Fifteen Pounds be granted, and placed at the disposal of the Ladies' Benevolent Society of Charlottetown, in aid of their funds, for the relief of poor and indigent persons.

105. RESOLVED, That it is the opinion of this Committee, that the sum of Twelve Pounds be granted, and paid to Alexander Rae, for his services as Teacher in Princetown Royalty, for the year ending December 15th, 1838.

106. RESOLVED, That it is the opinion of this Committee, that the sum of Seven Pounds be granted, and paid to Patrick B. Doyle, Teacher, Charlottetown.

And the First to the Sixty-sixth of the said Resolutions, inclusively, being again severally read, were, upon the question of concurrence being separately put thereon, agreed to by the House.

The Sixty-seventh of the said Resolutions being again read, and the question put thereon;

The House divided:

YEAS:

| | |
|-----------------------|-------------------|
| Mr. Montgomery, | Mr. Fraser, |
| Mr. Forbes, | Mr. D. Macdonald, |
| Mr. J. Dingwell, | Mr. Gorman, |
| Mr. Macneill, | Mr. Macintosh, |
| Mr. Beck, | Mr. Rae, |
| Hon. J. S. Macdonald, | Mr. Thomson, |
| Mr. Le Lacheur, | Mr. Macfarlane, |
| Mr. Dalziel, | Mr. W. Dingwell, |
| Mr. Hudson, | |

NAYS:

| | |
|----------------|----------------|
| Mr. Palmer, | Mr. Longworth. |
| Hon. Mr. Pope, | |

So it was carried in the affirmative.

The Sixty-eighth of the said Resolutions being again read, and the question of concurrence put thereon;

The House again divided:

YEAS:

| | |
|-----------------|-------------------|
| Mr. Thomson, | Mr. Forbes, |
| Mr. Hudson, | Mr. D. Macdonald, |
| Mr. Gorman, | Mr. Beck, |
| Mr. Arbuckle, | Mr. J. Dingwell, |
| Mr. Macfarlane, | Mr. W. Dingwell, |
| Mr. Fraser, | Mr. Rae, |
| Mr. Le Lacheur, | Mr. Palmer, |
| Mr. Dalziel, | Mr. Macintosh. |

NAYS:

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|----------------|-----------------------|
| Hon. Mr. Pope, | Hon. J. S. Macdonald, |
| Mr. Macneill, | Mr. Montgomery. |
| Mr. Longworth, | |

So it was carried in the affirmative.

The Sixty-ninth of the said Resolutions being again read, was, upon the question put thereon, agreed to by the House.

The Seventieth of the said Resolutions being again read:

Mr. Longworth moved, in amendment thereto, that the word "Sixty" be struck out, and "Forty" substituted; and the word "Thirty" struck out, and "twenty" substituted.

The House divided on the motion of amendment:

YEAS:

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|----------------|----------------|
| Mr. Longworth, | Hon. Mr. Pope. |
| Mr. Palmer, | |

NAYS:

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|-----------------------|------------------|
| Mr. Montgomery, | Mr. Macneill, |
| Mr. Hudson, | Mr. Fraser, |
| Mr. Forbes, | Mr. Le Lacheur, |
| Mr. Beck, | Mr. Arbuckle, |
| Mr. D. Macdonald, | Mr. Macfarlane, |
| Mr. J. Dingwell, | Mr. Gorman, |
| Hon. J. S. Macdonald, | Mr. W. Dingwell, |
| Mr. Thomson, | Mr. Rae, |
| Mr. Dalziel, | Mr. Macintosh. |

So it passed in the negative.

The question being then put on the said Resolution, it was agreed to by the House.

The Seventy-first of the said Resolutions being again read, and the question of concurrence put thereon;

The House divided :

YEAS :

| | |
|--------------------------|---------------------------|
| Mr. <i>Forbes</i> , | Mr. <i>Gorman</i> , |
| Mr. <i>Montgomery</i> , | Mr. <i>Arbuckle</i> , |
| Mr. <i>Beck</i> , | Mr. <i>D. Macdonald</i> , |
| Mr. <i>Macneill</i> , | Mr. <i>Macfarlane</i> , |
| Mr. <i>J. Dingwell</i> , | Mr. <i>Rae</i> , |
| Mr. <i>W. Dingwell</i> , | Mr. <i>Thomson</i> . |
| Mr. <i>Fraser</i> , | |

NAYS :

| | |
|------------------------|-------------------------------|
| Hon. Mr. <i>Pope</i> , | Hon. <i>J. S. Macdonald</i> , |
| Mr. <i>Longworth</i> , | Mr. <i>Hudson</i> . |
| Mr. <i>Palmer</i> , | |

So it was carried in the affirmative.

The Seventy-second and Seventy-third of the said Resolutions being again severally read, were, upon the question of concurrence being separately put thereon, agreed to by the House.

The Seventy-fourth of the said Resolutions being again read, and the question of concurrence put thereon ;

The House divided :

YEAS :

| | |
|-------------------------------|-------------------------|
| Mr. <i>J. Dingwell</i> , | Mr. <i>Le Lacheur</i> , |
| Hon. Mr. <i>Pope</i> , | Mr. <i>Rae</i> , |
| Mr. <i>Macneill</i> , | Mr. <i>Gorman</i> , |
| Mr. <i>Montgomery</i> , | Mr. <i>Fraser</i> , |
| Mr. <i>Beck</i> , | Mr. <i>Longworth</i> , |
| Hon. <i>J. S. Macdonald</i> , | Mr. <i>Palmer</i> , |
| Mr. <i>D. Macdonald</i> , | Mr. <i>Dalziel</i> , |
| Mr. <i>Macfarlane</i> , | Mr. <i>Hudson</i> , |
| Mr. <i>Forbes</i> , | Mr. <i>Mackintosh</i> . |
| Mr. <i>W. Dingwell</i> , | |

NAYS :

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|----------------------|-----------------------|
| Mr. <i>Thomson</i> , | Mr. <i>Arbuckle</i> . |
|----------------------|-----------------------|

So it passed in the affirmative.

The Seventy-fifth of the said Resolutions being again read ;

Mr. *Thomson* moved, in amendment thereto, that after the word "Session," all be struck out, and the following substituted—"to send a Delegation to England, to represent the grievances which the people of this Island have long laboured under ; and, that there be granted, and paid to the Member or Members of such Delegation, the sum of Five hundred Pounds, or as much thereof as this House may deem necessary, to indemnify them for their necessary and unavoidable expenses."

The House divided on the motion of amendment :

YEAS :

| | |
|--------------------------|---------------------------|
| Mr. <i>Thomson</i> , | Mr. <i>Fraser</i> , |
| Mr. <i>Macneill</i> , | Mr. <i>Arbuckle</i> , |
| Mr. <i>Montgomery</i> , | Mr. <i>Dalziel</i> , |
| Mr. <i>Beck</i> , | Mr. <i>D. Macdonald</i> , |
| Mr. <i>Forbes</i> , | Mr. <i>Gorman</i> , |
| Mr. <i>W. Dingwell</i> , | Mr. <i>Macintosh</i> , |
| Mr. <i>Le Lacheur</i> , | Mr. <i>Rae</i> , |
| Mr. <i>J. Dingwell</i> , | Mr. <i>Macfarlane</i> . |

NAYS :

| | |
|-------------------------------|------------------------|
| Hon. <i>J. S. Macdonald</i> , | Mr. <i>Hudson</i> , |
| Mr. <i>Palmer</i> , | Mr. <i>Longworth</i> . |
| Hon. Mr. <i>Pope</i> , | |

So it was carried in the affirmative.

The question being put on the said Resolution, as amended ;

The House again divided :

YEAS, 16.

NAYS, 5.

And the names being called for, they were taken down as in the last preceding division.

So it was carried in the affirmative, and stands as follows :

"Resolved, That it is the opinion of this Committee, that in the event of its being found necessary, before the close of the present Session, to send a Delegation to England, to represent the grievances which the people of this Island have long laboured under, that there be granted, and paid to the Member or Members of such Delegation, the sum of Five hundred Pounds, or as much thereof as this House may deem necessary, to indemnify them for their necessary and unavoidable expenses."

The Seventy-sixth to the One hundred and fourth of the said Resolutions, inclusively, being again severally read, were, upon the question of concurrence being separately put thereon, agreed to by the House.

The One hundred and fifth of the said Resolutions being again read, and the question put thereon ;

The House divided :

YEAS :

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|---------------------------|--------------------------|
| Mr. <i>Macintosh</i> , | Mr. <i>Arbuckle</i> , |
| Mr. <i>W. Dingwell</i> , | Mr. <i>Thomson</i> , |
| Mr. <i>Gorman</i> , | Mr. <i>Fraser</i> , |
| Mr. <i>Forbes</i> , | Mr. <i>Macfarlane</i> , |
| Mr. <i>D. Macdonald</i> , | Mr. <i>J. Dingwell</i> , |
| Mr. <i>Beck</i> , | Mr. <i>Dalziel</i> , |
| Mr. <i>Le Lacheur</i> , | Mr. <i>Macneill</i> . |
| Mr. <i>Montgomery</i> , | |

NAYS :

Mr. Hudson, Mr. Longworth,
Hon. Mr. Pope, Hon. J. S. Macdonald.
Mr. Palmer,

So it was carried in the affirmative.

The One hundred and sixth of the said Resolutions being again read, was, on the question put thereon, agreed to by the House.

Resolved, That a Committee of three Members be appointed, to prepare and bring in a Bill for appropriating the Supplies granted to Her Majesty this Session.

Ordered, That the Hon. Mr. Pope, Mr. Palmer and Mr. Longworth do compose the said Committee.

Then the House adjourned until to-morrow, at Eleven o'clock

WEDNESDAY, April 10, 1839.

READ a third time, as engrossed, the Bill intituled *An Act to amend a certain Act therein mentioned, relating to Pounds.*

Resolved, That the Bill do pass.

Ordered, That Mr. Longworth do carry the said Bill to the Legislative Council, and desire their concurrence.

Mr. D. Macdonald, from the Committee appointed to wait on His Excellency the Lieutenant Governor with the Address, thanking him for the several Messages and Documents communicated to the House, reported the delivery thereof, and that His Excellency was pleased to say, that he thanked the House for this Address.

Mr. Longworth, from the Committee appointed to prepare and bring in a Bill for appropriating the Supplies granted to Her Majesty this Session, presented to the House a Bill, as prepared by the Committee, and the same was read the first time.

Ordered, That the Tenth Rule of this House be suspended, as far as respects this Bill; and that the Bill be read a second time this day, at the afternoon's sitting.

Then the House adjourned for one hour.

And being met—

A Message from the Legislative Council, by Mr. Desbrisay :

“Mr. Speaker;

“The Legislative Council do agree to a further Conference, as is desired by the House of Assembly, on the subject-matter of the last Conference—and have appointed the same Committee who managed the last Conference a

Committee to manage this further Conference—to meet in the Committee Room instanter.”

And then he withdrew.

Whereupon the Managers went to the Conference ;

And being returned—

The Hon. Mr. Pope reported, that the Committee had been at the Conference, and he stated the substance of the Conference to the House.

The Bill for appropriating the Supplies granted to Her Majesty this Session, was, according to order, read a second time.

Ordered, That the said Bill be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

The Hon. Mr. Pope took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Hon. Mr. Pope reported, that the Committee had gone through the Bill, without making any amendment thereto.

Ordered, That the Report be agreed to.

Ordered, That the said Bill be engrossed, and that the Title be *An Act for appropriating certain Moneys therein mentioned, for the service of the Year of our Lord One thousand eight hundred and thirty-nine.*

Mr. Longworth, from the Committee appointed to prepare and bring in a Bill to revive and continue the Act for regulating the sale of the Interest of Leaseholders, when taken in Execution, presented a Bill, as prepared by the Committee; and the same was read the first time.

Ordered, That the Tenth Rule of this House be suspended, as far as respects this Bill.

And then the said Bill was read a second time.

Ordered, That the said Bill be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Longworth took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Longworth reported, that the Committee had gone through the Bill, without making any amendment thereto.

Ordered, That the Report of the Committee be agreed to.

Ordered, That the said Bill be engrossed, and that the Title be *An Act to revive and continue an Act to regulate the Sale of the Interest of Leaseholders, when taken in Execution.*

Then the House adjourned until to-morrow, at Ten o'clock.

THURSDAY, April 11, 1839.

MR. ARBUCKLE moved that the House do come to a Resolution as followeth:

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to instruct Her Majesty's Attorney General to release the Farm or other Estate of Coun Douly Rankin, Esq. from an Execution levied thereon, under a prosecution ordered by the House of Assembly in the year 1835, and to discharge the said Coun Douly Rankin from the Government claim thereon, on his paying the full costs of the prosecution.

The Hon. Mr. Pope moved, that the consideration of the said motion be referred to a Committee of the whole House to-morrow.

Which was ordered.

The Bill for providing Buoys and Beacons for

certain Harbours in this Island, and for other purposes, was, according to order, read a second time.

Ordered, That the said Bill be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Thomson took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had made some progress, and had directed him to move for leave to sit again—which the House agreed to.

Then the House adjourned until to-morrow, at Eleven o'clock.

FRIDAY, April 12, 1839.

READ a third time, as engrossed, the Bill intituled *An Act for appropriating certain Moneys therein mentioned, for the service of the Year of our Lord One thousand eight hundred and thirty-nine.*

Mr. Gorman proposed, that the amendment following be made to the Bill, viz:

Folio 8, last line, after the words "Roads and Bridges," insert "with the exception of the sum of £150 for the Main Western Road, which shall be expended on the same in such manner, and on such parts thereof, as may be deemed

most effectual towards its completion;"—which being seconded and put, was carried in the affirmative—and the Bill was amended at the Table accordingly.

Resolved, That the Bill do pass.

Read a third time, as engrossed, the Bill intituled *An Act to revive and continue an Act for regulating the sale of the Interest of Leaseholders when taken in Execution.*

The Hon. Mr. Pope proposed that the amendment following be made to the Bill, viz:

Folio 2, line 4, strike out the word "two," and insert the word "ten."

The House divided on the question :

YEAS :

| | |
|----------------|-----------------------|
| Hon. Mr. Pope, | Hon. J. S. Macdonald, |
| Mr. Longworth, | Mr. Hudson. |
| Mr. Pabner, | |

NAYS :

| | |
|-------------------|------------------|
| Mr. Le Lacheur, | Mr. W. Dingwell, |
| Mr. Fraser, | Mr. Macfarlane, |
| Mr. Beck, | Mr. Forbes, |
| Mr. Montgomery, | Mr. Arbuckle, |
| Mr. Thomson, | Mr. J. Dingwell, |
| Mr. Maeneill, | Mr. Gorman, |
| Mr. D. Macdonald, | Mr. Dalziel, |
| Mr. Macintosh, | Mr. Rae. |

So it passed in the negative.

Resolved, That the Bill do pass.

Ordered, That the Hon. Mr. Pope do carry the two preceding Bills to the Legislative Council, and desire their concurrence.

Resolved, That Mr. Le Lacheur be added to the Committee appointed to keep up a good correspondence between the two Houses of the Legislature.

Ordered, That the above Resolution be communicated, by Message, to the Legislative Council.

Ordered, That the Hon. Mr. Pope do carry the said Message to the Legislative Council.

Resolved, That a Committee be appointed, to search the Journals of the Legislative Council, to ascertain what proceedings have been had on the Bill intituled "An Act to amend the Act for the encouragement and support of District and other Schools."

Ordered, That Mr. Arbuckle and Mr. Thomson do compose the said Committee; who, returning, reported, that they had found the following entry :—

LEGISLATIVE COUNCIL CHAMBER,
Thursday, 11th April, 1839.

Present :

| | |
|--|------------------|
| The Honorable Mr. Haviland, President; | |
| Hon. Mr. Attorney General, | Hon. Mr. Livett, |
| Mr. Brecken, | Mr. Dalrymple, |
| Mr. Worrell, | Mr. Green, |
| Mr. Macdonald, | Mr. MacNutt, |
| Mr. Macintosh, | Mr. Macgowan. |

The Order of the Day, for the second reading of the Bill

intituled *An Act to amend the Act for the encouragement and support of District and other Schools*, being read ;

Ordered, That the same be discharged, and that the said Bill be read a second time this day three months.

Mr. D. Macdonald, from the Committee appointed last Session to prepare and bring in a Bill to continue for a limited period the Act, 3 Will. 4, cap. 23, empowering the Administrator of the Government to shut up such Roads, or parts of Roads, as are no longer required, presented to the House a Bill, as prepared by the Committee, and the same was read the first time.

Ordered, That the said Bill be read a second time to-morrow.

A Message from the Legislative Council, by Mr. Desbrisay :

Mr. Speaker ;

The Legislative Council have passed the Bill intituled *An Act for rendering more effectual the Laws now in force for regulating the retail of strong and spirituous Liquors*, without any amendment.

And also—

The Legislative Council have agreed to the amendments made by the House of Assembly to the Bill intituled *An Act to amend an Act for regulating the several Jails within this Island, and establishing Prison discipline therein*.

And then he withdrew.

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to procure from the Plantation Office, Whitehall, for the use of the Government of this Island, a copy of the Plan of the original Survey of this Island, made between the years 1764 and 1769.

Ordered, That Mr. Thomson, Mr. Palmer and Mr. Montgomery be a Committee to prepare a draught of the said Address.

Then the House adjourned until to-morrow, at Eleven o'clock

SATURDAY, April 13, 1839.

A MOTION being made, that the Order of the Day, for the House in Committee on the consideration of the motion that an Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to instruct Her Majesty's Attorney General to re-

lease the Farm or other Estate of Coun Douly Rankin, Esq. from an Exceution levied thereon, under a prosecution ordered by the House of Assembly in the year 1835, and to discharge the said Coun Douly Rankin from the claim thereon, on his paying the full costs of the prosecution, be now read;

And the question being put on the said motion;

The House divided on the question :

YEAS, 14.

NAYS, 3.

So it was carried in the affirmative.

And the said Order of the Day was read accordingly.

Mr. *Le Lacheur* moved, that the said Order of the Day be postponed until Monday next.

The Hon. Mr. *Pope* moved, in amendment, that the said Order of the Day be discharged, and that the consideration of the subject be made the Order of the Day for this day three months.

Which was ordered.

The Bill to continue for a limited period the Act, 3 Will. 4, cap. 23, empowering the Administrator of the Government to shut up such Roads, or parts of Roads, as are no longer required, was, according to order, read a second time.

Ordered, That the said Bill be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. D. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. D. Macdonald reported, that the Committee had gone through the Bill, without making any amendment thereto.

Ordered, That the Report of the Committee be agreed to.

Ordered, That the said Bill be engrossed, and that the Title be *An Act to revive and continue an Act therein mentioned, relating to the shutting up of old Roads.*

Then the House adjourned for one hour.

And being met—

Mr. *Thomson*, from the Committee appointed to prepare the draught of an Address to His Excellency the Lieutenant Governor, praying

that he will be pleased to procure from the Plantation Office, Whitehall, for the use of the Government of this Island, a copy of the Plan of the original Survey of this Island, made between the years 1764 and 1769, presented to the House the draught of an Address, as prepared by the Committee; which said draught Address being again read at the Clerk's Table, was agreed to by the House, and is as followeth:—

To His Excellency Sir CHARLES AUGUSTUS FITZ ROY, K. H., Lieutenant Governor and Commander-in-Chief in and over Her Majesty's Island Prince Edward, and its Dependencies Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

May it please your Excellency;

The House of Assembly, taking into consideration the inconvenience frequently experienced by the different branches of the Legislature, as well as by Officers of the various departments of the Government, from the want of a perfect Plan of the original Survey of this Island, respectfully request that your Excellency will be pleased, at your earliest convenience, to take the measures necessary for procuring from the Plantation Office, Whitehall, for the use of the Government of this Colony, a copy of the Plan of the original Survey of this Island, which said Plan was prepared by or under the direction of the late Samuel Holland, Esq. between the years 1764 and 1769, by order of His Majesty's Government—and this House will make good any expense that may be incurred in procuring the same.

Ordered, That the said Address be engrossed.

Ordered, That the Committee who prepared the Address be a Committee to wait upon His Excellency with the same.

Resolved, That this House do now resolve itself into a Committee of the whole House, on the further consideration of the Bill for providing Buoys and Beacons for certain Harbours in this Island, and for other purposes.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Fraser took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had made some progress, and had directed him to move for leave to sit again—which the House agreed to.

Then the House adjourned until Monday next, at Eleven o'clock.

MONDAY, April 15, 1839.

READ a third time, as engrossed, the Bill intituled *An Act to revive and continue an Act therein mentioned, relating to the shutting up of old Roads.*

Resolved, That the Bill do pass.

Ordered, That Mr. *D. Macdonald* do carry the said Bill to the Legislative Council, and desire their concurrence.

A Message from the Legislative Council, by Mr. Desbrisay :

Mr. Speaker ;

The Legislative Council have passed the Bill intituled *An Act to revive and continue an Act for regulating the sale of the Interest of Leaseholders, when taken in Execution*, with an amendment, to which they desire the concurrence of the Assembly.

And then he withdrew.

The amendment made by the Legislative Council to the Bill intituled *An Act to revive and continue an Act to regulate the Sale of the Interest of Leaseholders, when taken in Execution*, was read the first time, and is as follows :

Folio 2, line 4—Strike out the word “two,” and insert the word “ten.”

Ordered, That the said Amendment be read a second time to-morrow.

Mr. *Thomson*, from the Committee appointed to wait upon His Excellency the Lieutenant

Governor, with the Address relative to procuring a Plan of the original Survey of this Island, reported to the House, that their Address had been presented to His Excellency, and that he was pleased to say, he would comply with the request of the House.

Resolved, That this House do now resolve itself into a Committee of the whole House, on the further consideration of the Bill for providing Buoys and Beacons for certain Harbours in this Island.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. *Fraser* took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. *Fraser* reported, that the Committee had gone through the Bill, and had made several amendments thereto ; which amendments were again read at the Clerk’s Table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed, and that the Title be *An Act for providing Buoys and Beacons for the Harbours therein mentioned, and for a nautical Survey of the Harbours of Charlottetown and Three Rivers.*

Then the House adjourned until to-morrow, at Eleven o’clock.

TUESDAY, April 16, 1839.

A MESSAGE from the Legislative Council, by Mr. Desbrisay :

Mr. Speaker ;

The Legislative Council have passed the Bill intituled *An Act to revive and continue an Act therein mentioned, relating to the shutting up of old Roads*, without any amendment.

And also—

The Legislative Council have passed the Bill intituled *An Act for the relief of certain of the American Loyalists and disbanded Provincial Troops, and their Representatives*, with

several amendments, to which they desire the concurrence of the House of Assembly.

And then he withdrew.

The amendments made by the Legislative Council to the Bill intituled *An Act for the relief of certain of the American Loyalists and disbanded Provincial Troops, and their Representatives*, were read the first time, and are as follow :

Folio 1, line 10—Strike out from the word “Claimants” to the word “accepted,” in the third line of the second folio, both inclusive, and insert—“Proprietors of Lands in this Island,

‘ or their Attorneys for them, signed and
 ‘ delivered a Paper to the Right Honor-
 ‘ able Lord North, at that time one of
 ‘ His Majesty’s Principal Secretaries of
 ‘ State, of which the following is a
 ‘ Copy, viz :—

‘ We the undersigned Proprietors of
 ‘ Lands in the Colony of *Saint John*,
 ‘ being informed that many of the Loyal-
 ‘ ists at *New York* prefer a Settlement in
 ‘ that Island to one in *Nova Scotia* ; and
 ‘ being very desirous of encouraging such
 ‘ a preference, and of affording an Asylum
 ‘ to those deserving fellow subjects, do
 ‘ engage for ourselves, or as Attorneys
 ‘ for others, to grant, as we hold of the
 ‘ Crown, and in the same proportions to
 ‘ each family as the other Loyal Emi-
 ‘ grants receive in *Nova Scotia*, One
 ‘ fourth of the quantity of Lands placed
 ‘ opposite to our Names, which they shall
 ‘ receive, upon their arrival at *Charlotte-*
 ‘ *town*, by application to the Governor
 ‘ and Council : and that they may receive
 ‘ the said Lands in the fairest and most
 ‘ impartial manner, we will direct that
 ‘ the whole be divided by the Surveyor
 ‘ General into Parcels, of not less than
 ‘ One Thousand Acres each, and drawn
 ‘ for by Ballot before the Governor and
 ‘ Council. In consideration of the pre-
 ‘ ference expressed by those Loyal Emi-
 ‘ grants, and of the conditions offered
 ‘ by us, we have the fullest confidence
 ‘ that your Lordship will give instructions
 ‘ to the Commander-in-Chief of His
 ‘ Majesty’s Forces at *New York*, to fur-
 ‘ nish such Loyalists as prefer a settle-
 ‘ ment in *Saint John’s*, with Provisions
 ‘ and Transports to carry them to *Char-*
 ‘ *lottetown*, and every other necessary,
 ‘ such as is given to those who go to
 ‘ *Nova Scotia* : and that your Lordship
 ‘ will also give such instructions to the
 ‘ Governor of *Saint John’s*, as will place
 ‘ such Emigrants, in every respect, on a
 ‘ similar footing with their brethren who
 ‘ settle in *Nova Scotia*. The undersign-
 ‘ ed are the more zealous in promoting
 ‘ this measure, as they are persuaded it
 ‘ will greatly advance the prosperity of
 ‘ an infant Colony, which, from its natu-
 ‘ ral and relative situation, is peculiarly
 ‘ adapted to become a permanent and
 ‘ valuable possession to *Great Britain*.
 ‘ And they confide in your Lordship’s

‘ wisdom and equity, that you will obtain
 ‘ for them such an abatement of Quit
 ‘ Rent, as will place them on an equality
 ‘ with their neighbouring Colonies, and,
 ‘ by that means, remove a cause which
 ‘ may prevent many faithful subjects to
 ‘ this Country from emigrating to that
 ‘ Island from the *American States*, and
 ‘ which has hitherto obstructed the settle-
 ‘ ment and prosperity of this Colony.’

| (Signed) | Acres. |
|--|--------|
| Edward Lewis | 20,000 |
| John Townson | 10,000 |
| John Stuart | 10,000 |
| Richard Burke | 15,000 |
| John Morteux | 20,000 |
| Robert Mackay | 20,000 |
| Alexander Anderson | 20,000 |
| John Patterson | 20,000 |
| John Patterson, Attor- ney for Walter Pat- terson - - | 40,000 |
| John Patterson, Attor- ney for Andrew Todd | 21,000 |
| John Patterson, for Isaac Todd - - | 20,000 |
| John Townson, for Charles Pearce - | 10,000 |
| Daniel Berreau, for Isaac Panchard - | 20,000 |
| Lawrence Sullivan | 80,000 |
| Philip Stephens | 20,000 |
| Lord Townshend, for Acres and gives Two Thousand to a Loyalist, who is to draw for it in the mode prescribed a- bove - - - | 20,000 |
| Lord Townshend, for General Honeywood | 10,000 |
| Lord Townshend, for the Lord Chief Baron Montgomery - | 60,000 |

Folio 2, line 3—After the word “accepted,” insert the word “and.”

Folio 7, line 8—After the word “Law,” insert “also.”

Folio 16, line 14—Strike out from the word “on” to the word “Island,” in line 19, inclusive.

Folio 17, line 1—Strike out from the word “and” to the word “conditions,” in the third line of the same folio.

Same folio, lines 4 and 9—Strike out the word “that.”

Same folio, line 20—Strike out from the word “Claimants” to the word “Townships,” in folio 18, line 2, and insert ‘Proprietors of Town-
 ‘ ships, who purchased them from the

' Grantees, the said Grantees and Purchasers having neglected to perform the conditions of their Grants from the Crown."

Folio 18, line 6—Strike out from the word "raising," to the word "instituted," inclusive, and insert the words "did institute."

Same folio, line 11—After the word "Chancery," insert the word "and."

Same folio, line 16—Strike out from the word "or," to the word "Lands," inclusive.

Folio 19, line 2—Strike out from the word "behalf," to the word "the," in the 5th line, inclusive.

Same folio, line 6—After the word "Loyalists," insert "and disbanded Troops."

Same folio, line 8—After the word "locations," insert "and which Act subsequently received His Majesty's assent."

Same folio, line 10—Strike out from the word "and," to the word "thereof," in the 3d line, folio 20, inclusive.

Folio 20, line 3—Strike out from the word "and," to the word "claimants," in line 10.

Same folio, line 11—Strike out "the want of means," and insert "their poverty."

Same folio, line 13—After the word "Law," insert the words "and Equity, the said Loyalists and others."

Same folio, line 24—Strike out from the word "and," to the word "Government," in the last line, inclusive.

Folio 21, line 3—After the word "all," insert "such."

Same folio, line 10—Strike out the words "Proprietary Claimants," and insert "Proprietors."

Same folio, line 17—After the word "Lands," insert the words "in the proportion hereinafter mentioned."

Same folio, same line—Strike out from the word "now," to the word "hereafter," and insert "at the time being may."

Same folio, line 23—Strike out the word "competent," and insert the word "lawful."

Folio 22, line 8—Strike out from the word "get," to the word "made," inclusive, and insert the words "and he is hereby empowered to examine such Witnesses on oath, and to take such affidavits."

Same folio, line 16—Strike out the words "every one," and insert the word "each."

Same folio, line 19—After the word "all," insert the word "American."

Same folio, line 23—After the word "lodge," insert the word "the."

Folio 23, line 4—Strike out the word "state," and insert the word "statement."

Same folio, line 14—Strike out the words "and attested."

Same folio, line 15—Strike out the word "state," and insert the word "statement."

Folio 25, line 8—Strike out from the word "providing," to the word "Crown," in the last line, both inclusive.

Folio 26, line 4—Strike out from the word "that," to the word "hereafter," both inclusive, and insert "which at the time being may."

Same folio, line 7—Strike out from the word "at," to the word "purchase," in the 11th line, inclusive, and insert "a Grant for such quantity of Land as he or his ancestor, or the venter under whom he claims, would have been entitled to, as such American Loyalist, disbanded Officer or Soldier, as aforesaid."

" Provided always, and be it further enacted, That if any American Loyalist, disbanded Officer or Soldier, as aforesaid, his Heirs or Assigns, shall succeed in substantiating to the satisfaction of the said Commissioner, and of the said two branches of the Legislature, his or their claim to any particular quantity or description of Land, by virtue of any location, or of any Minute of Council, ordering any such particular quantity or description of Land to be located to such American Loyalist, disbanded Officer or Soldier, which Land, at the time of the passing of this Act, shall continue to remain in the seisin or possession of any Proprietor or Proprietors, by whom or on whose behalf the aforesaid Memorial to the Right Honorable Lord North was subscribed and delivered, or in the seisin or possession of persons claiming by inheritance from or under the said Proprietor or Proprietors, it shall and may be lawful for the Lieutenant Governor, or other Administrator of the Government for the time being, by and with the advice of Her Majesty's Executive Council, to issue a Warrant of Survey to the Surveyor General, directing him to lay off and survey such quantity and description of Land, as the said American Loyalists, disbanded Officers or Soldiers, their Heirs and Assigns, shall so succeed in establishing their claims to; and upon the due Execution of the said Warrant of Survey, and the return thereof into the Secretary's Office, a Grant shall be issued by the Administrator of the Government for the time being, under the Great Seal of this Island, of the Land so laid off and surveyed to the said American Loyalist, disbanded Officer or Soldier, his Heirs or Assigns; and in case the said Proprietor or Proprietors, their Heirs or Representatives, shall have sold or leased such Lands before the passing of this Act, then it shall and may be lawful for the Lieutenant Governor, or other Administrator of the Government for the time being,

by and with the advice and consent of Her Majesty's Executive Council, to issue a Warrant of Survey to the Surveyor General, directing him to lay off and survey other portions of unoccupied Land remaining in the possession of the said Proprietor or Proprietors, his Heirs or Representatives, to the extent to which the said American Loyalists, disbanded Officers or Soldiers, their Heirs or Assigns, would become entitled by virtue of such claims as aforesaid; and upon the due execution of the said Warrant of Survey, and the return thereof into the Secretary's Office, a Grant shall be issued by the Administrator of the Government for the time being, under the Great Seal of this Island, of the Lands so laid off and surveyed to the said American Loyalist, disbanded Officer or Soldier, his Heirs or Assigns.

Folio 27, line 9—Strike out from the word "Provided," to the word "aforesaid," in line 18, inclusive.

SCHEDULE (A.)

Lines 9 & 10—Strike out the words "hereby certify," and insert the words "make oath and say."

Line 10—Strike out the word "state," and insert the word "statement."

Line 13—After the word "attest," insert the word "the."

Line 18—Leave out the words "an entire," and insert the word "the."

Last line—Strike out the word "in," and insert the words "to substantiate."

SCHEDULE (B.).

Line 7—After the word "shilling," insert "For every oath."

Ordered, That the Tenth Rule of this House be suspended, as far as respects the said amendments; and that the same be read a second time in the afternoon's sitting.

The amendment made by the Legislative Council to the Bill intituled *An Act to revive and continue an Act for regulating the sale of the Interest of Leaseholders, when taken in Execution*, was, according to order, read a second time.

Ordered, That the Tenth Rule of this House be suspended, as far as respects the said amendment.

And then Mr. Palmer moved to resolve, that this House doth concur with the Council in the said amendment.

Mr. D. Macdonald moved, in amendment to the motion, that after the word "that," all be struck out, and the following substituted—"the amendment made by the Legislative Council be disagreed to."

The House divided on the motion of amendment:

YEAS :

| | |
|-------------------|-----------------|
| Mr. D. Macdonald, | Mr. Fraser, |
| Mr. J. Dingwell, | Mr. Le Lacheur, |
| Mr. Montgomery, | Mr. Gormau, |
| Mr. Rae, | Mr. Thomson, |
| Mr. W. Dingwell, | Mr. Macintosh. |

NAYS :

| | |
|-----------------------|-----------------|
| Hon. J. S. Macdonald, | Mr. Yeo, |
| Mr. Longworth, | Mr. Clark, |
| Mr. Palmer, | Mr. Macfarlane. |
| Hon. Mr. Pope, | |

So it was carried in the affirmative.

Then main motion, as amended, was then put and carried.

Resolved, That a Committee of three Members be appointed, to draw up reasons to be offered to the Legislative Council, at a Conference, for disagreeing to the amendment made by their Honors to the said Bill.

Ordered, That Mr. D. Macdonald, Mr. Rae and Mr. Fraser do compose the said Committee.

Then the House adjourned for one hour.

And being met—

Mr. Palmer, by command of His Excellency the Lieutenant Governor, presented to the House an Estimate of the probable expense of completing certain alterations in the Jail Yard at Charlottetown, and for making an additional Yard, for the separation of Prisoners.

Resolved, That the said Document be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Macneill took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macneill reported, that the Committee had come to a Resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

A motion being made that the engrossed Bill, intituled *An Act for providing Buoys and Beacons for the Harbours therein mentioned, and for a nautical Survey of the Harbours of Charlottetown and Three Rivers*, be now read the third time.

Mr. Le Lacheur moved, in amendment, to

strike out the word "now," and at the end of the question insert "this day three months."

The House divided on the motion of amendment :

YEAS :

| | |
|---------------------------|--------------------------|
| Mr. <i>Le Lacheur</i> , | Mr. <i>Dalziel</i> , |
| Mr. <i>Macintosh</i> , | Mr. <i>J. Dingwell</i> , |
| Mr. <i>D. Macdonald</i> , | Mr. <i>Beck</i> . |

NAYS :

| | |
|-------------------------------|-------------------------|
| Mr. <i>Macneill</i> , | Mr. <i>Forbes</i> , |
| Hon. <i>J. S. Macdonald</i> , | Mr. <i>Clark</i> , |
| Hon. Mr. <i>Pope</i> , | Mr. <i>Gorman</i> , |
| Mr. <i>Thomson</i> , | Mr. <i>Longworth</i> , |
| Mr. <i>Macfarlane</i> , | Mr. <i>Yeo</i> , |
| Mr. <i>Palmer</i> , | Mr. <i>Rae</i> , |
| Mr. <i>W. Dingwell</i> , | Mr. <i>Montgomery</i> . |
| Mr. <i>Arbuckle</i> , | |

So it passed in the negative.

The question being then put on the main motion, it was carried in the affirmative.

And the said Bill was read the third time.

A motion being made that the Bill do pass ;

Mr. *D. Macdonald* moved, as an amendment to the question, that the House do come to a Resolution as followeth :

RESOLVED, That a Committee be appointed to prepare an Address to His Excellency the Lieutenant Governor, praying that he will be pleased to cause a Survey to be made of the Harbours of Charlottetown and Three Rivers, and to give directions for the laying down Buoys and erecting Beacons at the said Harbours, where deemed necessary—to be defrayed out of the sum appropriated by the House this Session for that purpose—and that the further consideration of the Bill be postponed until this day three months.

The House divided on the motion of amendment :

YEAS :

| | |
|---------------------------|--------------------------|
| Mr. <i>D. Macdonald</i> , | Mr. <i>J. Dingwell</i> . |
| Mr. <i>Macintosh</i> , | |

NAYS :

| | |
|-------------------------------|-------------------------|
| Mr. <i>Fraser</i> , | Mr. <i>Yeo</i> , |
| Mr. <i>Montgomery</i> , | Mr. <i>Clark</i> , |
| Mr. <i>Dalziel</i> , | Mr. <i>Gorman</i> , |
| Mr. <i>Le Lacheur</i> , | Mr. <i>Longworth</i> , |
| Mr. <i>Rae</i> , | Hon. Mr. <i>Pope</i> , |
| Hon. <i>J. S. Macdonald</i> , | Mr. <i>Thomson</i> , |
| Mr. <i>Arbuckle</i> , | Mr. <i>Macfarlane</i> . |
| Mr. <i>Palmer</i> , | Mr. <i>Forbes</i> , |
| Mr. <i>W. Dingwell</i> , | Mr. <i>Macneill</i> . |
| Mr. <i>Beck</i> , | |

So it passed in the negative.

The question being then put on the main motion, "That the Bill do pass,"

It was resolved in the affirmative.

Ordered, That Mr. *Thomson* do carry the said Bill to the Legislative Council, and desire their concurrence.

The amendments made by the Legislative Council to the Bill intituled *An Act for the relief of certain of the American Loyalists and disbanded Provincial Troops, and their Representatives*, were, according to order, read a second time.

Ordered, That the said amendments be committed to a Committee of the whole House to-morrow.

Then the House adjourned until to-morrow, at Eleven o'clock.

WEDNESDAY, April 17, 1839.

MR. *D. MACDONALD*, from the Committee appointed to draw up reasons to be offered to the Legislative Council, at a Conference, for disagreeing to the amendment made by their Honors to the Bill intituled *An Act to revive and continue an Act for regulating the Sale of the Interest of Leaseholders, when taken in Execution*, presented to the House the Report of the said Committee—and the Report was again read at the Clerk's Table, and is as follows :

The circumstance of a great majority of the cultivators of this Colony holding land in tenancy, would excite in the House of Assembly a desire to prevent cultivators

from being so far at the mercy of rigorous creditors, as to be liable to be turned out of their homes, on a notice of a few days, by a creditor attaching and selling the cultivator's title, by the same short process as a chattel ; but as the majority of the cultivators are unable to pay the rents which are demanded from them by the Proprietary claimants, and are by them or their Agents threatened with ejectment, it seems of less consequence to provide against their being deprived of their farms by another class of creditors—still, however, as the favourable locations of some individuals, and the great improvements made thereon, render their possessions really valuable ; and as a change, by which the great part of the cultivators might for a time remain tenants of the Crown, was not improba-

ble, it appeared right to take some measures for the protection of what now is or soon might be valuable.

On examining the measure, it appeared desirable to make a distinction between leases of short duration and leases of long duration; and although in ninety-nine out of one hundred leases, the person claiming rent claims it for land which was a wilderness when the cultivator settled thereon, yet as several freeholders have leased their improved farms to others, sometimes with stock, it appeared necessary to make such provisions as these several cases might require.

A further provision appeared necessary in regard to leased property within the towns; but as on a subject which, if thus entered into, would have so many different bearings, there seemed no prospect of procuring an unanimity of opinion, at this late period of the Session, it appeared advisable to pass, for no longer than two years, an Act wherein none of these separate provisions should enter, in the belief that within that period, and without delaying other public matters, the Legislature could mature a measure which ought to satisfy all those interested therein.

Ordered, That the said Report be now taken into consideration.

The House proceeded accordingly to take the said Report into consideration.

Mr. *Thomson* moved, that the Report be disagreed to, and the following substituted:

"The late period of the Session at which the Bill was brought in, precluded the House from entering minutely into a variety of proposed amendments deemed requisite; the House therefore passed the Bill for two years only, in order that the House, at an early period, might consider maturely such proposed amendments."

The House divided on the question:

YEAS:

Mr. *Thomson*, Mr. *Gorman*.
Mr. *Daziel*,

NAYS:

Mr. *D. Macdonald*, Mr. *Montgomery*,
Mr. *Le Lacheur*, Mr. *Yeo*,
Mr. *Fraser*, Mr. *Macneill*,
Mr. *J. Dingwell*, Mr. *W. Dingwell*,
Mr. *Longworth*, Mr. *Palmer*,
Mr. *Macfarlane*, Mr. *Forbes*,
Mr. *Hudson*, Mr. *Macintosh*.
Mr. *Beck*,

So it passed in the negative.

A motion being made that the Report of the Special Committee be adopted by the House;

The House divided on the question:

YEAS:

Mr. *D. Macdonald*, Mr. *Beck*,
Mr. *J. Dingwell*, Mr. *Fraser*,
Mr. *Macneill*, Mr. *Macintosh*,
Mr. *Le Lacheur*, Mr. *Montgomery*,
Mr. *W. Dingwell*, Mr. *Forbes*.

NAYS:

Mr. *Hudson*, Mr. *Palmer*,
Mr. *Longworth*, Hon. *J. S. Macdonald*,
Hon. Mr. *Pope*, Mr. *Thomson*,
Mr. *Yeo*, Mr. *Daziel*,
Mr. *Clark*, Mr. *Gorman*.

And the numbers being equally divided, Mr. Speaker gave his casting vote in the negative.

Then the House adjourned for one hour.

And being met—

Resolved, That this House do now resolve itself into a Committee of the whole House, to consider the expediency of drawing up reasons to be offered to the Legislative Council, at a Conference, for disagreeing to the amendment made by their Honors to the Bill intituled *An Act to revive and continue an Act for regulating the sale of the Interest of Leaseholders, when taken in Execution*.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. *D. Macdonald* took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. *D. Macdonald* reported, that the Committee had come to a Resolution; which Resolution was again read at the Clerk's Table, and is as followeth:

Resolved, That the following reasons be offered to the Legislative Council, at a Conference, for disagreeing to their amendment to the said Bill:

That the leasehold interests are of unequal value, some being for a long term of years, and others for a shorter period; some leases are at a high rent, and probably of no value, while on other leasehold lands the tenant's improvements far exceed the landlord's fee simple interest, and it is necessary that the Legislature should, at an early period, take the subject into consideration, and bring in a Bill more generally applicable to the different classes of Leaseholders.

That the reason which induced this House to pass the Bill in its present shape was, that the late period of the Session rendered it, in many respects, inconvenient to enter upon the full consideration of a subject on which such a variety of opinions were known to be entertained, and therefore to pass the Bill for a shorter period than that proposed by the Legislative Council, would, without subjecting leaseholders to any practical inconvenience, afford to the Members of both Houses of the Legislature sufficient time to mature their opinions upon a subject so important to a large class of the community.

Mr. Thomson moved, in amendment to the Report, that the said Reasons be disagreed to, and the following substituted:—

“That the House of Assembly, in passing the Bill at so late a period of the Session for the period of two years only, did so in order to afford time to consider such amendments as by many Members of the House were deemed necessary to be introduced into the Bill, relative to the different periods at which Leasehold property of terms of from one year to 999 years ought to be sold.”

The House divided on the motion of amendment:

YEAS :

Mr. Thomson, Mr. Hudson,
Hon. J. S. Macdonald,

NAYS :

Mr. Fraser, Mr. Clark,
Mr. Le Lacheur, Mr. Yeo,
Mr. Dalziel, Mr. Gorman,
Mr. D. Macdonald, Mr. Montgomery,
Mr. J. Dingwell, Mr. Palmer,
Mr. Macneill, Mr. Rae,
Mr. W. Dingwell, Mr. Arbuckle,
Mr. Forbes, Mr. Macfarlane,
Mr. Longworth, Mr. Macintosh.

So it passed in the negative.

A motion being made, that the Report of the Committee be agreed to;

The House divided on the question :

YEAS :

Mr. Clark, Mr. Le Lacheur,
Mr. W. Dingwell, Mr. Rae,
Mr. J. Dingwell, Mr. D. Macdonald,
Mr. Gorman, Mr. Macneill,
Mr. Fraser, Mr. Arbuckle,
Mr. Macintosh, Mr. Macfarlane,
Mr. Forbes, Mr. Dalziel,
Mr. Montgomery,

NAYS :

Hon. J. S. Macdonald, Mr. Hudson,
Mr. Longworth, Mr. Thomson,
Mr. Palmer, Mr. Yeo.

So it was carried in the affirmative.

Resolved, That a Conference be desired with the Legislative Council, on the subject matter of the amendment made to the Bill intituled *An Act to revive and continue an Act for regulating the sale of the Interest of Leaseholders, when taken in Execution*—and that upon such Conference the Committee of this House be directed to communicate to the Committee of

the Legislative Council the reasons agreed to by this House for disagreeing to the said amendment.

Ordered, That Mr. D. Macdonald do go to the Legislative Council, and desire the said Conference.

Ordered, That Mr. D. Macdonald, Mr. Le Lacheur, Mr. Rae and Mr. Fraser be a Committee to manage the said Conference.

Mr. Macneill, from the Committee of the whole House, to consider the Estimate of the probable expense of completing certain alterations in the Jail Yard of Charlottetown, reported, according to order, the Resolution of the said Committee; which Resolution being again read at the Clerk's Table, was, on the question put thereon, agreed to by the House, and is as followeth :

Resolved, That it is the opinion of this Committee, that it is expedient to make certain alterations in the Yard of the Jail at Charlottetown, and also to provide an additional Yard for the separation of criminals, from persons confined for debt; and that an humble Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to cause the same to be carried into effect, agreeably to the Estimate furnished by the visiting Magistrates—provided the expense thereof does not exceed the sum of Fifty-five Pounds, in addition to the Twenty Pounds already voted in Committee of Supply; and this House will, at its next Session, provide for the same.

Ordered, That Mr. Palmer, Mr. Longworth and Mr. Thomson be a Committee to prepare the draught of an Address to His Excellency the Lieutenant Governor, in accordance with the above reported Resolution.

The Order of the Day, for the House in Committee, on the amendments made by the Legislative Council to the Bill intituled *An Act for the relief of certain of the American Loyalists and disbanded Provincial Troops, and their Representatives*, being read;

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

The Hon. J. S. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee

had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again to-morrow.

A motion being made, that Mr. *W. Dingwell* have leave to absent himself from this House for the remainder of the Session, on urgent business;

The House divided on the question :

YEAS, 8,

NAYS, 12.

So it passed in the negative.

Then the House adjourned until to-morrow, at Eleven o'clock.

THURSDAY, April 18, 1839.

THE Order of the Day, for the House in Committee on the further consideration of the amendments made by the Legislative Council to the Bill intituled *An Act for the relief of certain of the American Loyalists and disbanded Provincial Troops, and their Representatives*, being read;

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Hon. J. S. Macdonald took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Hon J. S. Macdonald reported, that the Committee had come to a Resolution; which Resolution was again read at the Clerk's Table, and, on the question put thereon, agreed to by the House, and is as followeth:

Resolved, That this House doth concur with the Legislative Council in their amendments to the said Bill.

A Message from the Legislative Council, by Mr. Desbrisay:

Mr. Speaker;

The Legislative Council do agree to a Conference, as is desired by the House of Assembly, on the amendment made to the Bill intituled *An Act to revive and continue an Act for regulating the sale of the Interest of Leaseholders, when taken in Execution*—and have appointed the Honorables Mr. Attorney General and Mr. Livett a Committee to manage the said Conference—to meet in the Committee Room instanter.

And then he withdrew.

And the names of the Managers being called over, they went to the Conference.

And being returned—

Mr. *D. Macdonald* reported, that the Managers had been at the Conference, and had complied with the Instructions given them by this House.

A Message from the Legislative Council, by Mr. Desbrisay:

Mr. Speaker;

The Legislative Council desire a further Conference with the House of Assembly, on the subject-matter of the last Conference—and have appointed the same Committee who managed the last Conference a Committee to manage this further Conference—to meet in the Committee Room instanter.

And then he withdrew.

Resolved, That this House do agree to a further Conference, as is desired by the Legislative Council, on the subject matter of the last Conference.

Ordered, That Mr. *D. Macdonald* do go to the Council, and acquaint them therewith.

Ordered, That the same Committee who managed the last Conference be a Committee to manage this further Conference.

And the names of the Managers being called over, they went to the Conference.

And being returned—

Mr. *D. Macdonald* reported, that the Managers had been at the Conference, and had met the Managers on behalf of the Legislative Council, who had delivered to them their reasons for insisting on their amendment to the Bill; and he delivered in the reasons at the Clerk's Table, where they were again read, and are as follow:

That the adoption by the House of Assembly of the amendment made by the Legislative Council to the Bill to revive and continue an Act for regulating the sale of the

Interest of Leaseholders, when taken in Execution, will not preclude the Assembly, at its next or any subsequent Session, from proposing to the Council any well-matured plan for further protecting the interest of Leaseholders, when taken in Execution; and while no greater inconvenience can possibly arise in altering or amending the Act in question, should the same be deemed necessary, whether it be passed for ten years or for two years, it will effectually secure protection to this deserving class of settlers, under any circumstances, for a longer period of time than that limited in the Bill, as sent up by the House of Assembly.

Ordered, That the said Reasons do lie on the Table.

Resolved, That this House will, to-morrow, resolve itself into a Committee of the whole House, to consider the expediency of making further provision than that provided by the Act, 7 Will. 4, cap. 31, towards erecting the Colonial Building therein authorized to be built, with a view of rendering the said Building sufficiently commodious for the accommodation of the Supreme Court and its Offices.

Then the House adjourned for one hour.

And being met—

Ordered, That the Reasons communicated by the Legislative Council, in Conference, for insisting on their amendment to the Bill to revive and continue the Act for regulating the sale of the Interest of Leaseholders, when taken in Execution, be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Fraser took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. *Fraser* reported, that the Committee had come to a Resolution; which Resolution was again read at the Clerk's Table, and, on the question put thereon, agreed to by the House, and is as followeth:

Resolved, That this House doth concur with the Legislative Council, in their amendment to the said Bill.

Ordered, That Mr. *D. Macdonald* do carry back the Bill to the Council, and acquaint them that this House hath agreed to their amendment.

Then the House adjourned until to-morrow, at Eleven o'clock.

FRIDAY, April 19, 1839.

ORDERED, That the Hon. Mr. *Pope* have leave to introduce a Bill to prevent the issue or circulation of Notes by private Bankers in this Island.

He accordingly presented the said Bill to the House; and the same was read the first time.

Ordered, That the Tenth Rule of this House be suspended, as far as respects this Bill.

And the said Bill was read a second time.

Ordered, That the said Bill be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

The Hon. Mr. *Pope* took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Hon. Mr. *Pope* reported, that the Committee had gone through the Bill, and made an amendment thereto; which amendment was again read at the Clerk's Table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed, and that the Title be *An Act to prevent the issue, re-issue, or circulation of Private Bank Notes in this Island*.

A Message from the Legislative Council, by Mr. Desbrisay:

Mr. Speaker;

The Legislative Council have passed the Bill intituled *An Act to amend a certain Act therein mentioned, relating to Pounds*, without any amendment.

And also—

The Legislative Council have passed the Bill intituled *An Act for the regulation of the Fishery Reserves in this Island*, with several amendments, to which they desire the concurrence of the House of Assembly.

And then he withdrew.

The amendments made by the Legislative

Council to the Bill intituled *An Act for the regulation of the Fishery Reserves in this Island*, were read the first time, and are as follow :

Folio 1, line 6—Strike out from the word “ issued,” to the word “ made,” in the 16th line of folio 19, both inclusive, and insert—
 ‘ bearing date on the 8th day of July, in
 ‘ the year of our Lord One thousand
 ‘ seven hundred and sixty-seven, was
 ‘ graciously pleased to direct, that in order
 ‘ to promote and encourage the Fisheries,
 ‘ for which many parts of this Island are
 ‘ conveniently situated, there be a clause
 ‘ in the Grant of each Township that
 ‘ abuts upon the sea shore, containing a
 ‘ Reservation of liberty to all His Majes-
 ‘ ty’s subjects in general, of carrying on
 ‘ a free Fishery on the coasts of the said
 ‘ Township, and of erecting Stages and
 ‘ other necessary Buildings for the said
 ‘ Fishery, within the distance of five
 ‘ hundred feet from highwater mark.

And Whereas the Grants of Townships Numbers Two (2), Ten (10), Fifteen (15), Sixteen (16), Nineteen (19), Twenty-one (21), Twenty-three (23), Forty-three (43), Forty-five (45), Forty-seven (47), Fifty-three (53) and Fifty-nine (59) contain the following reservation :—
 ‘ And further saving and reserving a free liberty to all His
 ‘ Majesty’s subjects of carrying on a free fishery or fish-
 ‘ eries on any part or parts of the coasts of the said Town-
 ‘ ship, and of erecting stages, and other necessary build-
 ‘ ings for the said fishery or fisheries, within the distance
 ‘ of Five hundred feet from highwater mark.’ And
 whereas the Grants of Townships Numbers One (1), Three (3), Four (4), Five (5), Seven (7), Nine (9), Thirteen (13), Fourteen (14), Eighteen (18), Twenty-two (22), Twenty-four (24), Thirty (30), Thirty-three (33), Thirty-four (34), Thirty-five (35), Thirty-six (36), Thirty-seven (37), Thirty-eight (38), Thirty-nine (39), Forty (40), Forty-one (41), Forty-two (42), Fifty (50), Fifty-one (51), Fifty-four (54), Fifty-five (55), Fifty-six (56), Sixty-one (61), Sixty-two (62), Sixty-three (63) and Sixty-four (64) contain the following reservation :—‘ And further saving
 ‘ and reserving, for the disposal of His Majesty, his Heirs
 ‘ and Successors, Five hundred feet from high water mark,
 ‘ on the coast of the Tract of Land hereby granted, to
 ‘ erect stages, and other necessary buildings for carrying
 ‘ on the Fishery :’—And whereas the Right Honorable Lord Glenelg, Her Majesty’s Principal Secretary of State for the Colonies, by two several Despatches, bearing date respectively the Tenth day of May, and the Fourteenth day of September, One thousand eight hundred and thirty-eight, conveyed authority to the Lieutenant Governor of this Island for throwing open to all British subjects engaged in the said Fisheries, the said last mentioned reservations,

and to place the same under the same conditions and restrictions as those which have been reserved for the use of all British subjects engaged in the Fisheries, to be regulated by such Laws as might be found necessary for preventing improvident and injurious practices in carrying them on : And whereas but a small proportion of the said Reservations has hitherto been required for the purpose of carrying on a Fishery, and many of them have been sold and leased with the adjoining Lands, by the original Grantees of such Townships, or their Heirs or Assigns, and have been cleared and cultivated, and dwelling houses and other valuable buildings have been erected thereon ; and it is but just and equitable that the said Lessees and Purchasers, and their Heirs and Assigns, should be quieted in their respective possessions of the said Reservations, and that the future uses and occupations of the said Reservations should be regulated by Law :—Be it therefore enacted, by the Lieutenant Governor, Council, and Assembly, That the clause in the Grants from the Crown of the following Townships, to wit, Numbers One (1), Three (3), Four (4), Five (5), Seven (7), Nine (9), Thirteen (13), Fourteen (14), Eighteen (18), Twenty-two (22), Twenty-four (24), Thirty (30), Thirty-three (33), Thirty-four (34), Thirty-five (35), Thirty-six (36), Thirty-seven (37), Thirty-eight (38), Thirty-nine (39), Forty (40), Forty-one (41), Forty-two (42), Fifty (50), Fifty-one (51), Fifty-four (54), Fifty-five (55), Fifty-six (56), Sixty-one (61), Sixty-two (62), Sixty-three (63) and Sixty-four (64), reserving Five hundred feet on the coasts thereof respectively, for the disposal of His Majesty, his Heirs and Successors, for a Fishery, shall be construed to have the same meaning and effect, so far as extending the right to all British subjects to the use of the said Reservations, for the purpose of carrying on a Fishery thereon, with the reservations contained in the Grants from the Crown of the following Townships, to wit, Numbers Two (2), Ten (10), Fifteen (15), Sixteen (16), Nineteen (19), Twenty-one (21), Twenty-three (23), Forty-three (43), Forty-five (45), Forty-seven (47), Fifty-three (53) and Fifty-nine (59)—any thing in the said Grants of the said first enumerated Townships to the contrary thereof in any wise notwithstanding.

And whereas no Grants from the Crown of the following Townships appear on record in this Island, to wit, Numbers Eight (8), Twelve (12), Twenty (20), Twenty-five (25), Forty-four (44) and Forty-six (46) : Be it therefore enacted, That if, at any period after the passing of this Act, any of the said Grants shall be placed on record, and it shall appear that a reservation on the coast thereof, in the form of either of the Reservations set forth in the preamble of this Act, is contained in the same, then the said Reservation in the said Grant, so recorded, shall be subject to all the enactments and provisions contained in this Act, relating to the Reservations in the Grants from the Crown, of the several Townships herein before enumerated.

And be it further enacted, That in all cases where any

person or persons, who at the time of the passing of this Act shall be in the *bona fide* possession or occupation of any of the said Fishery Reserves, either by virtue of any Deed, Grant, Lease, or Agreement for Lease, or other Conveyance, from any original Grantee, his Heirs or Assigns, every such person or persons, their Heirs, Executors, Administrators or Assigns, shall be, and they are hereby confirmed in their several possessions and occupations as aforesaid, subject nevertheless to the right reserved for a free Fishery for all Her Majesty's subjects, as hereinafter provided, under the following limitation and restriction (that is to say)—that no portion of the said Reserve which shall be occupied by any Building of any description, Farm-yard, Garden, Orchard, Mill-dam or Shipyard, or on the front side, or end nearest the coast of any Building, Farm-yard, Garden, Orchard, Mill-dam or Shipyard, or within the space of Sixty feet of any other side or end of any Building, Farm-yard, Garden, Orchard, Mill-dam or Shipyard, as aforesaid, shall be liable to be occupied for the purpose of carrying on the said Fishery during the continuance of the term for which such person or persons shall be in such *bona fide* possession or occupation, as aforesaid.

And be it further enacted, That to prevent persons holding such Reserves, or any part or parts thereof, under any demise or lease, or agreement for a demise or lease, (whether the same be written or parol), from any Proprietor or Proprietors of any Lands adjoining thereto, from being harassed by suits at Law, for the recovery of any Rent already accrued due, or that might hereafter accrue due, thereon, in respect of such part or parts of the said Reserves, under any such demise or lease, or agreement for a demise or lease, as aforesaid, no Proprietor or Proprietors shall be entitled to bring any action, or recover in any Court of Law in this Island, against any Tenant or Tenants, Lessee or Lessees, in the occupation of any part or parts of the said Reserves, under any such demise or lease, or agreement for a demise or lease, as aforesaid, for any rent due, or hereafter to accrue due, in respect of such Reserves: And if on the trial of any action for Rent, the Defendant or Defendants shall prove that all the Rent for which such action shall upon such trial appear to have been brought has been paid or satisfied, except such portion thereof as may have accrued due in respect of land on the said Reserve, then such Defendant or Defendants may give this Act in evidence, under the general issue, and the same shall in such case be held a sufficient answer in any Court of this Island, to entitle such Defendant or Defendants to a Verdict in his or their favour; and the said Court shall tax to the said Defendant or Defendants such costs as are usually taxed, when a Verdict is given for the Defendant in the said Court: Provided always, that nothing herein contained shall extend, or be construed to extend, to any suit or suits, action or actions, now instituted or pending, or which shall be brought or commenced before the passing of this Act, in any Court of this Island.

And be it further enacted, That no such Tenant or Tenants, Lessee or Lessees, shall be entitled to bring any action or suit, either at Law or in Equity, against any Proprietor or Landlord who shall have demised or leased, or agreed to demise or lease, any of the said Reserves, or any parts or portions thereof, for any damages whatsoever, by reason of the said Tenant or Tenants, Lessee or Lessees, being evicted from, or disturbed in his or their possession of such Reserves, or any part thereof, by virtue of this Act; and in any action or suit so brought or commenced in any Court of Law or Equity, for the purposes aforesaid, the Proprietor or Landlord may give this Act in evidence, as a full answer thereto; and if such suit or action shall be brought at Law, the Defendant or Defendants shall be entitled to a Verdict in his or their favour, with costs, to be taxed as usual in such cases; and if in Equity, the Complainant's Bill shall be dismissed with costs to the said Defendant or Defendants, as is usual in such cases.

And whereas great mischief and inconvenience may result from permitting persons wrongfully in possession of parts of the said Reserves to hold the same against the Proprietor, Lessor or Owner of the Lands adjacent to, and in the rear thereof, notwithstanding such persons may be liable to be ejected or amoved from such Lands in rear thereof:—For the preventing of which, be it therefore enacted, That whenever any Proprietor, Lessor or Owner of Lands immediately in rear and adjacent to the said Fishery Reserves, shall, would or may be able to maintain an action against the Tenant or Tenants, Occupier or Occupiers of such Lands, for recovering the possession thereof, such Proprietor, Lessor or Owner shall also have a right to enter into or maintain an action against such or any Tenant or Tenants, Occupier or Occupiers, having or being in possession of any part or parts of the said Reserves, adjacent to and in front of such Lands, unless such Tenant or Tenants, Occupier or Occupiers, shall shew a good and legal right and title thereto, or to the possession thereof:—And in like manner, be it further enacted, That whenever any Rent shall be due and in arrear, for and in respect of any Lands adjacent to, and in the rear of the said Reserves, and the Lessor or Landlord thereof shall be entitled to distrain therefor on such Lands, it shall and may be lawful for such Lessor or Landlord, to enter upon any part or parts of the said Reserve, and distrain thereon, for the purpose of satisfying such arrears of Rent, although by virtue of this Act, such Rent may be only due and in arrear in respect of or chargeable on the Land adjacent to, and in rear of the part of the said Reserves upon which such entry may be so made, or distress taken: Provided, that the person or persons in possession of the part of the said Reserves, into which such Lessor or Landlord shall go, enter or distrain, be Tenant or Tenants, Occupier or Occupiers of the Land adjacent to and in rear thereof, and in respect of which such Rent shall have accrued due: And further provided always, that nothing in this clause contained shall extend, or be construed to extend, to give

any right of action or suit against, or in any way to enable or empower any Proprietor, Lessor or Owner, to disturb, injure or molest any person or persons in the possession of, or occupying any part of, the said Reserves for fishing purposes, according to and under the provisions of this Act, or to extend, or be construed to extend, to affect, change, alter, take away, or in anywise interfere with the right of Her Majesty, her Heirs or Successors, to the whole, or any part, of the said Reserves; but that as between her said Majesty, her Heirs and Successors, and such Proprietors, Lessors or Owners, the right to the said Reserves shall stand and be in the same plight and condition as if this clause had not been enacted.

And be it further enacted, That where any land that may be bounded by the sea coast of this Island has been granted or sold by the Crown, or on behoof of the Crown, or by the authority of the Act of the General Assembly intituled *An Act to authorize the sale of Lands in this Island, reserved as sites for Churches, and for Glebe and School Lands*, in pieces or parcels not exceeding Three hundred acres in one piece or parcel, without any allowance or deduction having been made for the said Reservation in the said Grants or Deeds, then, and in such case, such Grantee or Feoffee shall not be liable or subject to the said Reservation, but shall retain the same, and keep possession thereof, peaceably and quietly, the same as if this Act had not been made.

And whereas it is not reasonable or just that the Freeholders and Tenantry of this Island should be harassed with frequent and expensive litigation, if it can be prevented; but it is nevertheless probable, that in consequence of the numerous disputes and controversies likely to occur, as to the extent of the said Fishery Reserves, they will be exposed to the same, unless the extent of the said Reserves be in some way defined and ascertained—For remedying of which, and for the preventing of harassing and ruinous litigation, be it therefore further enacted, That as soon as conveniently may be, after the passing of this Act, it shall and may be lawful for the Lieutenant Governor, or Commander in Chief, by and with the advice of Her Majesty's Executive Council, to appoint three fit and proper persons (of whom the Surveyor General of this Island for the time being shall be one), to be Commissioners for ascertaining and settling the extent of the said Fishery Reserves, in the manner hereinafter directed; which said Commissioners (being first duly sworn, before some Judge of the Supreme Court of this Island, well and faithfully to discharge the duties of their office, according to the best of their skill and judgment) shall, within Twelve Months after their appointment, examine the Headlands or Entrances of the several harbours or inlets on the coasts of this Island, and define and settle the same, by declaring what respective headlands or points shall be considered and held to form the mouth or entrance of such harbours or inlets respectively: And the said Commissioners shall thereupon make a Report and Plan of their proceedings, under their

hands, clearly pointing out and specifying the respective headlands or points so defined and settled by them as aforesaid, and shall file the same in the office of the Surveyor General of this Island—which Plan or Report, so filed as aforesaid, shall be received and taken as conclusive evidence of the proceedings of said Commissioners, in all the Courts of this Island; and that none of the said Fishery Reserves shall be held or construed to extend or come within the Mouth or Entrance of any harbour or inlet on the coast of this Island, beyond such respective headlands or points so defined and settled as aforesaid: and in case of the death, absence or removal of any of the said Commissioners, before the whole duty of their office shall have been completed, it shall and may be lawful for the Lieutenant Governor, by and with the advice of Her Majesty's Executive Council, to appoint another or others in the place of such Commissioner or Commissioners so dying or being absent, or removing. Provided always, that the power of the said Commissioners shall not extend to declare any of the Marshes or Sandhills, or any part thereof, on the coasts of this Island, to be within the said Fishery Reserves; but the same are hereby declared not to extend to the said Marshes or Sandhills, or any part thereof—anything in the Reservations contained in the said Grants from the Crown of the respective Townships or Islands belonging thereto, to the contrary thereof, in any wise notwithstanding.

And be it further enacted, That as soon as may be, after the said Commissioners shall have made a Report and Plan of their proceedings as aforesaid, it shall and may be lawful for the Lieutenant Governor, by and with the advice of Her Majesty's Executive Council, to appoint Two or more persons, as Conservators of Fishery Reserves, in each of the Counties of this Island, who shall have full power and authority to enter into, examine, lay off and admeasure any part or parts of the said Reserves, in their respective Counties, in such form and manner as are hereinafter directed by this Act.

And be it further enacted, That when and as often as any person or persons shall be desirous of obtaining any part or parts of any of the said Fishery Reserves, for the purpose of carrying on a free Fishery, he shall apply to one or more of the Conservators appointed for the County in which such Reserve is situated (which application shall be made in writing, on or before the First day of *April*, in each and every year), and shall also make and subscribe the Affidavit to this Act annexed, marked (A.), before the said Conservator, who is hereby empowered and required to administer the Oath and attest the same; whereupon the said Conservator is authorized and directed to proceed, without unnecessary delay, to examine the particular part of the said Fishery Reserve which the said applicant is desirous of obtaining; and if the said Conservator shall be of opinion that the said situation, so applied for, be eligible for the purpose for which it is required, he shall thereupon lay off a proportion of the said Fishery Reserve,

to the extent to which the said applicant may be entitled, as is hereinafter provided; and shall grant a Certificate, under his hand, stating the name of the person, if any, in the possession thereof, and describing the Boundaries, and the area thereof, and whether the same is in a cultivated or wilderness state—which Certificate shall be furnished to the person or persons applying for the said Fishery Reserve, who is thereupon required to serve a copy of the same at the Dwelling-House of the person in possession of the same, if any; and within ten days next after such service, it shall and may be lawful for the said person or persons, to whom the said Certificate of the said Conservator is granted, to enter into possession, and occupy the said Fishery Reserve described in the said Certificate, so long as it shall be required for the *bona fide* purpose of carrying on a free Fishery as aforesaid: and in case the said Fishery Reserve shall be in a wilderness and unoccupied state, then it shall and may be lawful for the person or persons to whom the same has been allotted by the said Conservator, to enter into, take possession of, and occupy the same immediately upon the Certificate from the said Conservator being granted: Provided always, that if within four months next after granting such Certificate, no possession or occupation shall have taken place by such person or persons obtaining the same, then the said Certificate shall be void, and of no effect: Provided also, that in all cases where any person or persons shall consider himself or themselves aggrieved, by reason of any Station being selected and certified by any such Conservator, and which he or they shall consider ineligible or too extensive for the purposes required, then, and in such case, every such person shall have the right to appeal to the Supreme Court of Judicature, at any time within ten days after service of such Certificate, by giving to the said party applicant notice, in writing, of such his or their intention—which notice shall be in the form of the Schedule to this Act annexed, marked (B.); and upon hearing evidence thereupon, the said Court is hereby authorized and empowered, in a summary way, either to confirm the said Certificate, or vary or lessen the same, as to the said Court shall appear most conducive to the ends of justice, and in its descretion to give to either party such costs as the Court may award.

And be it enacted, That no person or persons shall be deemed to be carrying on a Fishery, under the meaning of this Act, unless such person or persons shall keep at least one good and sufficient Boat, of not less than eighteen feet keel, properly equipped and manned with at least four able-bodied men, and shall keep the same exclusively employed, for and during the space of Ninety days, between the First day of *May*, and the First day of *October*, in carrying on the Fishery; and that no person or persons shall occupy more than twenty feet of the front of the said reserved Lands for every male person.

Provided also, and be it further enacted, That nothing

in this Act contained shall extend, or be construed to extend, to prevent any of Her Majesty's subjects, engaged in fishing Mackerel, Herrings or Alewives, from drying his or their nets, or from curing the fish so taken, on any part of the said reserved Land, not being previously occupied for the purpose of carrying on the Fishery.

And be it further enacted, That nothing in this Act contained shall be construed to prohibit or prevent any person or persons, who shall carry on a Fishery under the provisions of this Act, and who shall erect any Building or Buildings for that purpose on said Reserves, from removing such Building or Buildings, or from disposing, by himself or themselves, or his or their Heirs, Executors, Administrators or Assigns, of the said Building or Buildings, to any other person or persons who may continue to carry on said Fishery, as contemplated by this Act: Provided always, that if any such person or persons shall cease to carry on such a Fishery, between the First day of *May*, and the First day of *November*, in any year, or shall neglect to dispose of or remove such Building or Buildings, during the period aforesaid, then he or they shall forfeit the title of possession to such Premises, and the Buildings erected thereon, and the same may be occupied by any other person or persons, who shall, in the manner hereinbefore directed, have obtained the same for the purposes of the Fishery.

Folio 20, line 8.—After the word “thereof,” insert “or of
“the Islands adjacent thereto.”

Folio 21, line 1.—Strike out from the word “Provided,”
to the word “Stores,” in the last line of
folio 22, both inclusive, and insert—

“And be it further enacted, That if any person or persons shall knowingly or wilfully make a false affidavit or oath, in any case wherein affidavits or oaths are required to be made or taken, under and by virtue of this Act, such person or persons, on due conviction thereof, shall be subject to the pains and penalties imposed by law upon persons guilty of wilful and corrupt perjury.”

SCHEDULE (A.)

I *A. B.* of in the County of do make
oath and say, that I am a British subject, and am desirous
of embarking in the Fishing Trade of this Island, and
intend to prosecute the same to such extent as I conceive
will entitle me, under the provisions of the Act intituled
*An Act for the regulation of the Fishery Reserves in this
Island*, to a certain piece of Fishery Reserve Land, situate
at on Township Number or Island,
in the County of and fronting on
and that I wish to obtain possession of the said piece of
Land, for the *bona fide* purpose of carrying on the busi-
ness of the Fishery, and such uses as are immediately
connected therewith, and for no other use or purpose what-
soever.

Sworn at the }
day of before me, }
A. B. Conservator.

SCHEDULE (B.)

Take notice, that I do appeal against the order made by the Conservator of Fishery Reserves, made in your favour, for a portion of the land in my occupation, situate on Township Number _____ in the County of _____ for that [here insert the reasons of appeal], and that it is my intention to move the Supreme Court, at its next sitting in the said County, to hear and determine the said appeal according to law.

Dated this _____ day of _____ 183 .
To Mr. C. D.

Ordered, That the said amendments be read a second time to-morrow.

Then the House adjourned until to-morrow, at Eleven o'clock.

SATURDAY, April 20, 1839.

READ a third time, as engrossed, the Bill intituled *An Act to prevent the issue, re-issue, or circulation of Private Bank Notes in this Island.*

Mr. Rae proposed that the amendment following be made to the Bill, viz:

Folio 2, line 11—After the word “Ireland,” strike out the words “the United States.”

The House divided on the question:

YEAS:

| | |
|------------------|-----------------------|
| Mr. Rae, | Mr. Macneill, |
| Mr. J. Dingwell, | Mr. Yeo, |
| Mr. Clark, | Hon. J. S. Macdonald, |
| Mr. W. Dingwell, | Mr. D. Macdonald, |
| Mr. Montgomery, | Mr. Macintosh, |
| Mr. Forbes, | Mr. Fraser, |
| Mr. Dalziel, | Mr. Hudson, |
| Mr. Beck, | Mr. Gorman, |
| Mr. Arbuckle, | Mr. Le Lacheur. |

NAYS:

| | |
|----------------|-----------------|
| Hon. Mr. Pope, | Mr. Longworth, |
| Mr. Thomson, | Mr. Macfarlane. |

So it was carried in the affirmative—and the Bill was amended at the Table accordingly.

Resolved, That the Bill do pass.

Ordered, That the Hon. Mr. Pope do carry the said Bill to the Legislative Council, and desire their concurrence.

The Order of the Day, for the second reading of the amendments made by the Legislative Council to the Bill intituled *An Act for the regulation of the Fishery Reserves in this Island*, being read;

Mr. Longworth moved, that the said amendments be now read a second time.

Mr. Fraser moved, as an amendment to the question, that the House do come to a Resolution, as followeth:

Resolved, That as the Legislative Council

have amended the Fishery Reserves Bill, so as to make void the provisions thereof, which were intended for the benefit of the Fishermen in this Island, and that the said amendments are in order to alter the original intentions of the British Government, as set forth in the Grants with reference to the said Reserves; and further to empower Proprietary claimants to exercise controul and derive a revenue from the same, which is in direct contradiction to two several Despatches from the Right Honorable Lord Glenelg, Her Majesty's late Secretary of State for the Colonies, bearing date respectively, May 10th and September 14th, 1838—that therefore the said amendments be read a second time this day three months.

A motion being made that Mr. Fraser do have leave to withdraw the said motion of amendment:

The House divided on the question:

YEAS:

| | |
|-------------------|------------------|
| Mr. Fraser, | Mr. Arbuckle, |
| Mr. Macfarlane, | Mr. Forbes, |
| Mr. Clark, | Mr. Gorman, |
| Mr. Le Lacheur, | Mr. Macintosh, |
| Mr. Beck, | Mr. Rae, |
| Mr. Dalziel, | Mr. J. Dingwell, |
| Mr. Montgomery, | Mr. W. Dingwell, |
| Mr. Macneill, | Mr. Thomson. |
| Mr. D. Macdonald, | |

NAYS:

| | |
|-----------------------|----------------|
| Hon. Mr. Pope, | Mr. Yeo, |
| Mr. Hudson, | Mr. Longworth. |
| Hon. J. S. Macdonald, | |

So it was carried in the affirmative; and the said motion was accordingly withdrawn.

Mr. Rae then moved, as an amendment to the main motion, that the House do come to a Resolution as followeth:

“Whereas the amendments made by the

Legislative Council to the Bill for regulating the Fishery Reserves, would in some instances infringe on and in others make void the benefits intended to be conferred on Fishermen by said Reservations; and whereas the said amendments would empower Proprietary claimants in all instances to exercise a certain controul over, and in some instances, to raise a revenue from the said Reserves—both of which are contrary to the Despatches from the Right Honorable Lord Glenelg, of 10th May and 14th September, 1838; and whereas they would also impose on the community the burden of the remuneration which might be required by those filling the new offices created by these amendments, which offices are in reality inappropriate and uncalled for: *Resolved, therefore*, that the further consideration of the said amendments be postponed until this day three months.

The House divided on the motion of amendment:

YEAS:

| | |
|------------------|-------------------|
| Mr. Rae, | Mr. Beck, |
| Mr. J. Dingwell, | Mr. Macintosh, |
| Mr. Macfarlane, | Mr. Arbuckle, |
| Mr. Montgomery, | Mr. Gorman, |
| Mr. Forbes, | Mr. D. Macdonald, |
| Mr. Dalziel, | Mr. Fraser, |
| Mr. Le Lacheur, | Mr. W. Dingwell, |
| Mr. Maeneill, | Mr. Clark. |

NAYS:

| | |
|----------------|-----------------------|
| Mr. Thomson, | Mr. Longworth, |
| Hon. Mr. Pope, | Mr. Yeo, |
| Mr. Hudson, | Hon. J. S. Macdonald. |

So it was carried in the affirmative.

Then the House adjourned for one hour.

And being met—

A Message from the Legislative Council, by Mr. Desbrisay:

Mr. Speaker;

The Legislative Council desire a Conference with the House of Assembly, on the Bill intituled *An Act for providing Buoys and Beacons for the Harbours therein mentioned, and for a nautical Survey of the Harbours of Charlottetown and Three Rivers*—and have appointed the Honorables Mr. Attorney General and Mr. Green a Committee to manage the said Conference—to meet in the Committee Room instant.

And then he withdrew.

Resolved, That this House do agree to a present Conference, as is desired by the Legislative Council, on the Bill intituled *An Act to provide Buoys and Beacons for the Harbours therein mentioned, and for a nautical Survey of the Harbours of Charlottetown and Three Rivers*.

Ordered, That Mr. Rae do go to the Council, and acquaint them therewith.

Ordered, That Mr. Rae, Mr. Clark, Mr. Thomson and the Hon. Mr. Pope be a Committee to manage the said Conference.

So the Managers went to the Conference.

And being returned—

Mr. Rae reported, that the Managers had been at the Conference; and he stated the substance thereof to the House.

Then the House adjourned until Monday next, at Eleven o'clock.

MONDAY, April 22, 1839.

RESOLVED, That a further Conference be desired with the Legislative Council, on the subject matter of the last Conference.

Ordered, That the Hon. Mr. Pope do go to the Council, and desire the said Conference.

Ordered, That the same Committee who managed the last Conference, be a Committee to manage this further Conference.

A Message from the Legislative Council, by Mr. Desbrisay:

Mr. Speaker;

The Legislative Council have passed the Bill intituled *An Act relating to Treasury Warrants*, without any amendment.

And then he withdrew.

The amendments made by the Legislative Council to the Bill intituled *An Act for the relief of certain of the American Loyalists and disbanded Provincial Troops, and their Representatives*, were read a third time.

Resolved, That the said amendments do pass.

Ordered, That the Hon. Mr. Pope do carry back the said Bill to the Council, and acquaint them that this House hath agreed to their amendments.

A Message from the Legislative Council, by Mr. Desbrisay:

Mr. Speaker;

The Legislative Council do agree to a further Conference, as is desired by the House of Assembly, on the subject-matter of the last Conference; and have appointed the same Committee who managed the last Conference a Committee to manage this further Conference—to meet in the Committee Room instanter.

And then he withdrew.

And the names of the Managers being called over, they went to the Conference.

And being returned—

Mr. Rae reported, that the Managers had been at the Conference, and he stated the substance thereof to the House.

The Order of the Day, for the House in Committee, to consider the expediency of making provision for making the new Colonial Building sufficiently commodious for the holding of the Superior Courts of Law and Equity, being read:

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Clark took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had made some progress, and had directed him to move for leave to sit again—which the House agreed to.

A Message from His Excellency the Lieutenant Governor.

Mr. Secretary Collins, by command of His Excellency, delivered the following

Message:

CHARLES A. FITZ ROY, Lt. Governor.

The Lieutenant Governor lays before the House of Assembly a copy of a letter from the Lieutenant Governor

of Nova Scotia, transmitting a Resolution of the House of Assembly of that Province, relating to the exaction of Light Duties from Vessels owned in Nova Scotia, on entering the Ports of this Colony. This letter was received by the last night's Post, although by its date it appears as if it ought to have arrived before.

Government House, April 22d, 1839.

GOVERNMENT HOUSE,
Halifax, 3d April, 1839.

SIR;

I have the honor to transmit to your Excellency a copy of a Resolution of the House of Assembly of this Province, relating to the exaction of Light Duties from Vessels owned in Nova Scotia, on entering the Ports of Prince Edward Island, although no Light House, Beacons or Buoys are provided by the Government of that Island; and request, if, on inquiry, your Excellency should find that practice to prevail, that you will cause it to be discontinued.

I have, &c.

(Signed) C. CAMPBELL.

His Excellency

Sir Augustus Fitz Roy, &c. &c. &c.

[COPY.]

IN THE HOUSE OF ASSEMBLY,
14th March, 1839.

Whereas it has been represented to this House, that Light Duties are exacted from Vessels owned in this Province, on entering the Ports of Prince Edward Island, although no Light House, Beacons or Buoys are provided by the Government of that Island—*Resolved*, that a Committee be appointed, to wait upon His Excellency the Lieutenant Governor, and respectfully request His Excellency to cause the facts to be inquired into, and to call the attention of the Government of that Island to the subject, with a view of abolishing, if imposed, such an unwarranted tax.

Ordered, That Mr. Macdougall, Mr. Uniacke and Mr. Macdonald be a Committee for the above purpose.

(Signed) J. WHIDDEN,
Clerk.

Then the House adjourned for one hour.

And being met—

A Message from the Legislative Council, by Mr. Desbrisay:

Mr. Speaker;

The Legislative Council have passed the Bill intituled *An Act for providing Buoys and Beacons for the Harbours therein mentioned, and for a nautical Survey of the Harbours of Charlottetown and Three Rivers*.

And also—

The Legislative Council desire a Conference with the House of Assembly, on the Bill intituled *An Act for appropriating certain Moneys therein mentioned, for the service of the Year of our Lord One thousand eight hundred and thirty-nine*—and have appointed the Honorables Mr. Livett, Mr. Green and Mr. Macnutt a Committee to manage the said Conference; to meet in the Committee Room, to-morrow, at twelve o'clock.

And then he withdrew.

Resolved, That this House do agree to a Conference, as is desired by the Legislative Council, on the Bill intituled *An Act for appropriating certain Moneys therein mentioned, for the service of the Year of our Lord One thousand eight hundred and thirty-nine*.

Ordered, That Mr. Clark do go to the Council, and acquaint them therewith.

Ordered, That Mr. Clark, Mr. Le Lacheur, the Hon. Mr. Pope, Mr. Arbuckle, Mr. Palmer and Mr. Rae be a Committee to manage the said Conference.

Resolved, That this House do now resolve itself into a Committee of the whole House, to further consider the expediency of making provision for the accommodation of the Superior Courts of Law and Equity in the new Colonial Building.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Clark took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Clark reported, that the Committee had come to two Resolutions; which Resolutions were again read at the Clerk's Table, and are as follow:

I. RESOLVED, That it is the opinion of this Committee, that the suggestion for enlarging the new Colonial Building, so as to afford accommodation for the Supreme Court and its Offices, is deserving of serious consideration, and that this House will, at its next Session, provide for such enlargement as may, upon mature consideration, be deemed necessary; but that it would be inexpedient to commence the said Building, until the money appropriated for its erection be collected, or at least one moiety thereof, otherwise Warrants, bearing interest, must be issued for the payment of such contracts as may be entered into—a measure which, by throwing a great number of Warrants into the market, will not only incur a burden upon the Colony

for the payment of the interest, but will tend to depreciate the value of these Government obligations.

2. RESOLVED, That His Excellency be respectfully requested to defer entering into any Contract for the erection of the proposed Building, until two years of the Land Assessment shall have been collected.

And the said Resolutions being again read;

Mr. Palmer moved, in amendment thereto, that from the word "Resolved," in the First Resolution, to the end of the Second Resolution, all be struck out, and the following substituted:

"That the Colonial Building to be erected, in pursuance of the Act of 7th Will. 4, cap. 31, be constructed of sufficient size to admit of the necessary apartments and accommodations for the holding of the Superior Courts of Law and Equity, as are now held in the public Building used for those Courts; and that His Excellency the Lieutenant Governor be requested to authorize the Commissioners appointed to superintend the erection of the said Building, to adopt such measures as may be necessary for the aforesaid purposes; and that, to defray the additional expenses thereof, His Excellency the Lieutenant Governor, with the advice of Her Majesty's Council, be recommended to place at the disposal of the said Commissioners, in addition to the sum already appropriated for the erection of said Building, any sum not exceeding Two thousand five hundred Pounds, and that the House of Assembly will provide for the same out of any funds now or hereafter to be levied, under and by virtue of any Act of the General Assembly for the levying an Assessment on all Lands in this Island: Provided, that the said Two thousand five hundred Pounds shall not be required or drawn from the Treasury of this Island until three years of the present Land Assessment shall have been paid in."

The House divided on the motion of amendment:

YEAS:

| | |
|----------------|-----------------------|
| Mr. Palmer, | Mr. Hudson, |
| Hon. Mr. Pope, | Mr. Longworth, |
| Mr. Thomson, | Hon. J. S. Macdonald. |
| Mr. Yeo, | |

NAYS:

| | |
|-------------------|------------------|
| Mr. Clark, | Mr. Macfarlane, |
| Mr. Rae, | Mr. Arbuckle, |
| Mr. Le Lacheur, | Mr. W. Dingwell, |
| Mr. J. Dingwell, | Mr. Macneill, |
| Mr. Fraser, | Mr. Montgomery, |
| Mr. D. Macdonald, | Mr. Beck, |
| Mr. Datzel, | Mr. Forbes, |
| Mr. Gorman, | Mr. Macintosh. |

So it passed in the negative.

Mr. *Clark* moved, in amendment to the First of the said Resolutions, to leave out the words "and that this House will, at its next Session, provide for such enlargement as may, upon mature consideration, be deemed necessary."

The House divided on the motion of amendment :

YEAS, 8,

NAYS, 15.

So it passed in the negative.

Mr. Speaker having then put the question, "Is it the pleasure of the House that the Report of the Committee be agreed to?"

The House divided :

YEAS :

Mr. *Rae*,

Mr. *Macintosh*,

Mr. *Fraser*,

Mr. *Dalziel*.

NAYS :

Mr. *Yeo*,

Hon. *J. S. Macdonald*,

Mr. *Hudson*,

Mr. *Palmer*,

Mr. *D. Macdonald*,

Mr. *Beck*,

Mr. *W. Dingwell*,

Mr. *J. Dingwell*,

Mr. *Macfarlane*,

Mr. *Forbes*,

Mr. *Thomson*,

Mr. *Le Lacheur*,

Mr. *Arbuckle*,

Mr. *Longworth*,

Mr. *Macneill*,

Hon. Mr. *Pope*,

Mr. *Montgomery*,

Mr. *Gorman*,

Mr. *Clark*.

So it passed in the negative.

Resolved, That a Committee be appointed, to search the Journals of the Legislative Council, to ascertain what proceedings have been had on the Bill to regulate the forfeiture of Lands, and the settlement of the Inhabitants of this Island—and also upon the Bill to prevent the issue, re-issue or circulation of Private Bank Notes in this Island.

Ordered, That Mr. *Clark* and the Hon. Mr. *Pope* do compose the said Committee.

Then the House adjourned until to-morrow, at Eleven o'clock.

TUESDAY, April 23, 1839.

RESOLVED, That a Committee of five Members be appointed, to examine the Officers' and Contingent Accounts for the present Session, and report thereon to the House—with power to send for persons, papers and records.

Ordered, That the Honorable *J. S. Macdonald*, Mr. *Clark*, Mr. *Arbuckle*, Mr. *D. Macdonald* and Mr. *Macneill* do compose the said Committee.

The time for holding the Conference with the Legislative Council, on the Bill intituled *An Act for appropriating certain Moneys therein mentioned, for the service of the year of our Lord One thousand eight hundred and thirty-nine*, having arrived;

The names of the Managers were called over; and they went to the Conference.

And being returned—

Mr. *Clark* reported, that the Managers had been at the Conference; and he stated the substance thereof to the House.

Then the House adjourned for one hour.

And being met—

Mr. *Clark*, from the Committee appointed to search the Journals of the Legislative Council, as to the proceedings had on the Bill to regulate the forfeiture of Lands, and the settlement of the Inhabitants of this Island; and upon the Bill to prevent the issue, re-issue or circulation of Private Bank Notes in this Island, reported, that they had found the following entries:—

LEGISLATIVE COUNCIL CHAMBER,

Monday, 22d April, 1839.

PRESENT :

The Honorable Mr. *Haviland*, President;

Hon. Mr. *Attorney General*,

Mr. *Brecken*,

Mr. *Goodman*,

Mr. *Worrell*,

Mr. *Macdonald*,

Mr. *Macintosh*,

Hon. Mr. *Livett*,

Mr. *Dalrymple*,

Mr. *Green*,

Mr. *McNutt*,

Mr. *Macgowan*.

The Order of the Day, for the second reading of the Bill intituled *An Act to regulate the forfeiture of Lands, and the settlement of the Inhabitants of this Island*, being read;

On motion, *Ordered*, that the same be discharged, and that the said Bill be read a second time this day three months.

On motion, *Ordered*, that the Bill intituled *An Act to prevent the issue, re-issue or circulation of Private Bank Notes in this Island*, be read a second time this day three months.

On motion of the Hon. Mr. *Pope*;

Whereas a large amount of private Notes, issued by persons in New Brunswick, and payable in Halifax, Nova Scotia, are now in circulation in this Island, and are transferable by delivery only; and whereas the issue of such Notes is not authorised by any Law of this or any other of the British Provinces, or of the Imperial Parliament, nor is any security provided for the redemption thereof, but the circulation or passing thereof within the said Province of New Brunswick has been prohibited, under a penalty of Five Pounds for each offence, by a Law passed for that purpose: and whereas a Bill (being a transcript of the New Brunswick Act referred to,) was unanimously passed by this House, during the present Session, to prevent the further circulation of such Notes, after the First day of October next, which Bill has been rejected by the Legislative Council: and whereas the most serious consequences may hereafter be felt by the inhabitants of this Colony, if the circulation of the said Notes is not restricted: *Therefore, Resolved unanimously*, That this House pledges itself to take the subject again into its most serious consideration at its next Session.

Ordered, That the foregoing Resolution be twice published in the *Royal Gazette* and *Colonial Herald*, newspapers, that the public may be sufficiently apprised of the intention of this House, and of the consequence of receiving in the mean time such irresponsible paper as a valuable consideration.

His Excellency the Lieutenant Governor's Message of the 30th January, transmitting a Despatch from the Right Hon. Lord Glenelg, in reply to the application of the late House of Assembly, for a part of the fund arising from the sale of Crown Lands, for the purpose of building an Asylum for insane persons and other objects of charity, was taken up and again read;

And thereupon the Hon. Mr. *Pope* moved, that a Committee of five Members be appointed,

to prepare the draught of an Address to His Excellency the Lieutenant Governor, requesting that he will be pleased to transmit Plans and Estimates of the proposed Building, for the information of the Lords Commissioners of the Treasury, and also that he will use his influence to obtain a sum in addition to that formerly applied for; and pledging this House to make suitable provision for the maintenance of the proposed Institution.

The House divided on the question:

YEAS, 17,

NAYS, 5.

So it was carried in the affirmative.

Ordered, That the Honorables Mr. *Pope* and J. S. *Macdonald*, Mr. *Thomson*, Mr. *Longworth* and Mr. *Montgomery* do compose the said Committee.

Resolved, That a further Conference be desired with the Legislative Council, on the subject matter of the last Conference.

Ordered, That Mr. *Clark* do go to the Council, and desire the said Conference.

Ordered, That the same Committee who managed the last Conference, be a Committee to manage this further Conference.

Mr. *Thomson* reported from the Committee appointed to examine and report on the documents laid before this House relative to Georgetown, and into the circumstances connected with the granting of a certain portion of the said Royalty to Dr. *Cumming*; and he read the Report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.

[For the said Report, see Appendix B.]

Ordered, That the said Report do lie on the Table.

Then the House adjourned until to-morrow, at Eleven o'clock.

WEDNESDAY, April 24, 1839.

THE Hon. Mr. *Pope*, from the Committee appointed to prepare the draught of an Address to His Excellency the Lieutenant Governor, on the subject of the proposed Building for a Lunatic Asylum, and other objects of

charity, reported the draught of an Address, as prepared by the Committee; and the said draught Address was again read at the Clerk's Table, and, on the question put thereon, agreed to by the House, and is as followeth:

To His Excellency Sir CHARLES AUGUSTUS FITZ ROY, K. H., Lieutenant Governor and Commander in Chief in and over Her Majesty's Island Prince Edward, and its Dependencies, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

May it please your Excellency;

The House of Assembly having taken into consideration your Excellency's Message of 30th January last, transmitting a Despatch from the Right Honorable Lord Glenelg, stating that the Lords of Her Majesty's Treasury would not be unwilling to allow a portion of the proceeds arising from the sale of Crown Lands in this Island to be expended for the erection of an Asylum for insane persons, and for other charitable uses, and requesting Plans and Estimates of the proposed building, respectfully beg leave to request, that your Excellency will, at your earliest convenience, transmit to Her Majesty's Government the accompanying Plans and Estimates. We feel assured that the necessity of such an Institution in this Colony must be so apparent to your Excellency as to insure your best interest in aid of those objects, to obtain permission to expend such portion of the moneys already realized from the sale of Crown Lands, (which amount at present to £1200), as is not immediately required for other objects of local improvement. And as this fund may reasonably be expected to be increased by at least £5000 by future sales, we trust Her Majesty's Government will authorize your Excellency to apply such further sum out of the accruing fund as will make up the amount of £1500, being the lowest estimated expense of the proposed building—and this House will make suitable provision for the future maintenance of so humane and indispensable an institution.

Ordered, That the said Address be engrossed.

Ordered, That the Committee who prepared the Address be a Committee to wait upon His Excellency with the same; who, returning, reported to the House, that their Address, and the papers therein referred to, had been presented to His Excellency, and that he was pleased to say he would comply with the desire of the House.

Mr. Longworth, from the Committee appointed to prepare the draught of an Address to His Excellency the Lieutenant Governor, relative to certain proposed alterations in the Jail at Charlottetown, and for procuring an additional Jail Yard, reported the draught of an Address, as prepared by the Committee; and the said draught Address being again read at the Clerk's Table, was, upon the question put thereon, agreed to by the House, and is as followeth:

To His Excellency Sir CHARLES AUGUSTUS FITZ ROY, K. H., Lieutenant Governor and Commander in Chief in and over Her Majesty's Island Prince Edward, and its Dependencies, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

May it please your Excellency;

The House of Assembly deeming it necessary that certain alterations should be made in the Jail at Charlottetown, and that an additional Yard be provided for the separation of Criminals from persons confined for debt, agreeably to the Estimate furnished by the Visiting Magistrates of the Jail, have therefore respectfully to request that your Excellency will be pleased to cause the proposed alterations to be carried into effect—and the sum required for the purpose, in addition to Twenty Pounds already voted, will be Fifty-five Pounds, which sum this House will, at its next Session, make provision for.

Ordered, That the said Address be engrossed.

Ordered, That the Committee who prepared the Address be a Committee to wait upon His Excellency with the same; who returning, reported to the House that their Address had been presented to His Excellency, and that he was pleased to say he would comply with the desire of the House.

A Message from the Legislative Council, by Mr. Desbrisay:

Mr. Speaker;

The Legislative Council do agree to a further Conference, as is desired by the House of Assembly, on the subject-matter of the last Conference; and have appointed the same Committee who managed the last Conference a Committee to manage this further Conference—to meet in the Committee Room instantan.

And then he withdrew.

And the names of the Managers being called over, they went to the Conference.

And being returned—

Mr. Clark reported, that the Managers had been at the Conference, and had complied with the instructions of this House.

M. Palmer, from the Committee appointed to inquire into the state of the Library, presented to the House the Report of the Committee, and the said Report was again read by the Clerk.

See Appendix (C.)

A motion being made, that the Report of the Committee be adopted,

Mr. *Rae* moved, in amendment, to strike out the words "be adopted," and instead thereof, insert "do lie on the table."

The House divided on the motion of amendment:

YEAS, 5,

NAYS, 14.

So it passed in the negative.

The main motion was then put and carried.

A Message from the Legislative Council, by Mr. Desbrisay:

Mr. Speaker;

The Legislative Council desire a further Conference with the House of Assembly, on the subject matter of the last Conference; and have appointed the same Committee who managed the last Conference a Committee to manage this further Conference—to meet in the Committee Room instant.

And then he withdrew.

Resolved, That this House do agree to a further Conference, as is desired by the Legislative Council, on the subject matter of the last Conference.

Ordered, That Mr. *Clark* do go to the Council, and acquaint them therewith.

Ordered, That the same Committee who managed the last Conference be a Committee to manage this further Conference.

And the names of the Managers being called over, they went to the Conference.

And being returned—

Mr. *Clark* reported, that the Managers had been at the Conference; and he stated the substance thereof to the House.

Then the House adjourned for one hour.

And being met—

Resolved, That a further Conference be desired with the Legislative Council, on the subject matter of the last Conference.

Ordered, That Mr. *Clark* do go to the Council, and desire the said Conference.

Ordered, That the same Committee who managed the last Conference be a Committee to manage this further Conference.

A Message from the Legislative Council, by Mr. Desbrisay:

Mr. Speaker;

The Legislative Council do agree to a further

Conference, as is desired by the House of Assembly, on the subject matter of the last Conference; and have appointed the same Committee who managed the last Conference a Committee to manage this further Conference—to meet in the Committee Room instant.

And then he withdrew.

And the names of the Managers being called over, they went to the Conference.

And being returned—

Mr. *Clark* reported, that the Managers had been at the Conference, and had complied with the instructions of this House.

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, on the subject of that portion of the State Records, and the Journals of the House of Commons, which were omitted to be sent from England, for the use of the Legislature; and that the Legislative Council be requested to concur therein.

Resolved, That a Committee be appointed to prepare the said Address, and also to frame Rules for the Legislative Library, jointly with the Committee of the Legislative Council.

Ordered, That Mr. *Palmer*, Mr. *Arbuckle*, and the Honorables Mr. *Pope* and J. S. *Macdonald* do compose the said Committee.

Ordered, That the foregoing Resolutions be communicated, by Message, to the Legislative Council.

Ordered, That Mr. *Palmer* do carry the said Message to the Council.

A Message from the Legislative Council, by Mr. Desbrisay:

Mr. Speaker;

The Legislative Council have passed the Bill intituled *An Act for appropriating certain Moneys therein mentioned, for the service of the Year of our Lord One thousand eight hundred and thirty-nine.*

And also the following written Message—

‘ COUNCIL CHAMBER,

Wednesday, April 24th, 1839.

‘ *Resolved*, That a Committee be appointed to join the Committee of the House of Assembly, to prepare an humble Address to His Excellency the Lieutenant Governor, upon the subject of that portion of the Public Records, and the Journals of the House of Commons, which were omitted to be forwarded from England,

for the use of the Legislature; and also to join the Committee of the House of Assembly to frame Rules for the Legislative Library.

‘Ordered, That the Honorables Mr. Attorney General and Mr. Dalrymple be a Committee for that purpose.

‘Ordered, That the said Resolution be communicated, by Message, to the House of Assembly.’

And then he withdrew.

Then the House adjourned for one hour.

And being met—

Mr. *Clark* moved that the House do come to a Resolution as followeth, viz :

RESOLVED, That this House, in its present Session, acting under a deep impression of the responsibility which devolves upon them, and actuated by an anxious desire to provide an efficient remedy for the grievances which the people of this Colony endure, and against which they have, during a long series of years, repeatedly, although fruitlessly, complained, did, upon the most mature consideration, pass a Bill, calculated, in their opinion, to satisfy the just and reasonable demands of the cultivators of the soil, by pointing out the mode by which, upon just and equitable principles, they would be relieved of the burdens by which they are borne down and oppressed, and secured in that interest in the soil to which, by their labour, they are entitled. That this House views with deep regret the rejection of this just and equitable measure by the Legislative Council, and that under circumstances which damp every reasonable expectation of that body, as at present constituted, being ever likely to co-operate with the House of Assembly in affording that relief to the occupants of the soil which this measure was calculated to afford.

The House divided on the question :

YEAS :

| | |
|--------------------------|---------------------------|
| Mr. <i>Clark</i> , | Mr. <i>Macnail</i> , |
| Mr. <i>J. Dingwell</i> , | Mr. <i>Arbuckle</i> , |
| Mr. <i>Forbes</i> , | Mr. <i>D. Macdonald</i> , |
| Mr. <i>Frascr</i> , | Mr. <i>Gorman</i> , |
| Mr. <i>Beck</i> , | Mr. <i>Macintosh</i> , |
| Mr. <i>W. Dingwell</i> , | Mr. <i>Macfarlane</i> , |
| Mr. <i>Dalziel</i> , | Mr. <i>Thomson</i> , |
| Mr. <i>Le Lacheur</i> , | Mr. <i>Rac</i> . |

NAYS :

| | |
|-------------------------------|------------------------|
| Mr. <i>Palmer</i> , | Hon. Mr. <i>Pope</i> , |
| Hon. <i>J. S. Macdonald</i> , | Mr. <i>Hudson</i> , |
| Mr. <i>Yeo</i> , | Mr. <i>Longworth</i> . |

So it was carried in the affirmative.

Mr. *Arbuckle* then moved that the House do come to the following Resolution :

RESOLVED, That, under existing circumstances, it is indispensably necessary that some person, having the confidence of this House, should proceed forthwith to England, to represent to Her Majesty's Government the interests and sentiments of the inhabitants of this Colony, and support the views entertained by this House before Her Majesty,—and, if necessary, the Imperial Parliament.

The House divided on the question :

YEAS :

| | |
|---------------------------|--------------------------|
| Mr. <i>Arbuckle</i> , | Mr. <i>Gorman</i> , |
| Mr. <i>Dalziel</i> , | Mr. <i>W. Dingwell</i> , |
| Mr. <i>Le Lacheur</i> , | Mr. <i>Beck</i> , |
| Mr. <i>Macnail</i> , | Mr. <i>Frascr</i> , |
| Mr. <i>D. Macdonald</i> , | Mr. <i>Forbes</i> , |
| Mr. <i>Rac</i> , | Mr. <i>J. Dingwell</i> , |
| Mr. <i>Thomson</i> , | Mr. <i>Clark</i> , |
| Mr. <i>Macfarlane</i> , | Mr. <i>Montgomery</i> . |
| Mr. <i>Macintosh</i> , | |

NAYS :

| | |
|-------------------------------|------------------------|
| Hon. <i>J. S. Macdonald</i> , | Mr. <i>Longworth</i> , |
| Mr. <i>Palmer</i> , | Hon. Mr. <i>Pope</i> , |
| Mr. <i>Yeo</i> , | Mr. <i>Hudson</i> . |

So it was carried in the affirmative.

Mr. *Arbuckle* then moved that the House do come to the following Resolution :

RESOLVED, That William Cooper, Esquire, the Speaker of this House, be appointed for the purpose mentioned in the foregoing Resolution.

The House divided on the question :

YEAS, 17,

NAYS, 6.

And the names being called for, they were taken down as in the last preceding division.

So it was carried in the affirmative.

On motion of Mr. *Le Lacheur*,

RESOLVED, That the sum of Three hundred Pounds, granted for that purpose this Session, be paid to the said Delegate, to defray his unavoidable disbursements.

RESOLVED, That the Clerk of this House be directed to furnish the said Delegate, for the information of Her Majesty's Government, with a copy of the Bill previously referred to, as having been passed by this House, and rejected by the Legislative Council, for regulating the forfeiture of the lands, and the settlement of the inhabitants of this Colony : and also a copy of the Bill relating to the Fishery Reserves, with the amendments proposed thereto by the Legislative Council, and the reasons of this House for their rejection, as stated in the Journals.

Mr. *Le Lacheur* then moved that the House do come to the following Resolution :

RESOLVED, That this House are aware of the various documents which were furnished to the Right Honorable Lord Glenelg, by William Cooper, Esq, in the year 1838,

have ordered the same to be printed as an Appendix to the Journals of the present Session; and that as the authorised Delegate of this House, the said William Cooper, Esquire, be directed to urge, by every means in his power, the consideration of their contents upon Her Majesty's Government, with such further details as might be deemed necessary for the elucidation of the subject.

Mr. *Palmer* moved, as an amendment to the said proposed Resolution, that after the words "are aware" in the first line, the words "of the various documents which," be struck out, and the following substituted—"that various documents."

The House divided on the motion of amendment:

YEAS :

| | |
|-------------------------------|------------------------|
| Mr. <i>Palmer</i> , | Mr. <i>Hudson</i> , |
| Mr. <i>Thomson</i> , | Mr. <i>Longworth</i> , |
| Hon. Mr. <i>Pope</i> , | Mr. <i>Yeo</i> , |
| Mr. <i>Clark</i> , | Mr. <i>Gorman</i> . |
| Hon. <i>J. S. Macdonald</i> , | |

NAYS :

| | |
|---------------------------|--------------------------|
| Mr. <i>Le Lacheur</i> , | Mr. <i>Arbuckle</i> , |
| Mr. <i>Rae</i> , | Mr. <i>Montgomery</i> , |
| Mr. <i>Fraser</i> , | Mr. <i>Forbes</i> , |
| Mr. <i>Macfarlane</i> , | Mr. <i>W. Dingwell</i> , |
| Mr. <i>J. Dingwell</i> , | Mr. <i>Macintosh</i> , |
| Mr. <i>D. Macdonald</i> , | Mr. <i>Macneill</i> , |
| Mr. <i>Beck</i> , | Mr. <i>Dalziel</i> . |

So it passed in the negative.

The Honorable Mr. *Pope* then moved, in amendment of the said proposed Resolution, that after the words "One thousand eight hundred and thirty-eight," all be struck out, and the following substituted—"but as no copies of the 'correspondence and documents referred to were 'at any time laid before this House, consequently the Members thereof cannot have any 'official knowledge of their contents.'"

The House divided on the motion of amendment:

YEAS :

| | |
|-------------------------------|------------------------|
| Hon. Mr. <i>Pope</i> , | Mr. <i>Palmer</i> , |
| Hon. <i>J. S. Macdonald</i> , | Mr. <i>Yeo</i> , |
| Mr. <i>Hudson</i> , | Mr. <i>Longworth</i> . |

NAYS :

| | |
|--------------------------|---------------------------|
| Mr. <i>Gorman</i> , | Mr. <i>Beck</i> , |
| Mr. <i>Fraser</i> , | Mr. <i>W. Dingwell</i> , |
| Mr. <i>Montgomery</i> , | Mr. <i>D. Macdonald</i> , |
| Mr. <i>Le Lacheur</i> , | Mr. <i>Macintosh</i> , |
| Mr. <i>Macfarlane</i> , | Mr. <i>Arbuckle</i> , |
| Mr. <i>Macneill</i> , | Mr. <i>Rae</i> , |
| Mr. <i>Forbes</i> , | Mr. <i>Thomson</i> , |
| Mr. <i>J. Dingwell</i> , | Mr. <i>Clark</i> . |
| Mr. <i>Dalziel</i> , | |

So it passed in the negative.

The Honorable Mr. *Pope* again moved, in amendment of the said proposed Resolution, that after the word 'Resolved,' all be struck out, and the following substituted: 'That it be an 'instruction to the Delegate appointed by this 'House to proceed to England, that he bring 'before the attention of Her Majesty's Government all the grievances, if any, which the 'inhabitants of this Island at present labour 'under; and that the said Delegate be entitled 'to copies of any documents to be found among 'the records of this House, or in any of the 'public offices of the Colony.'

Mr. *Le Lacheur* moved, in amendment of the said proposed amendment, that after the word 'Grievances,' the words 'if any' be left out—which being seconded and put, was carried in the affirmative.

Mr. *Arbuckle* moved, in further amendment of the said proposed amendment, that between the words 'Her Majesty's Government' and the words 'the Grievances,' the word 'all' be struck out.

The House divided on Mr. *Arbuckle's* motion of amendment.

YEAS :

| | |
|---------------------------|--------------------------|
| Mr. <i>Arbuckle</i> , | Mr. <i>Le Lacheur</i> , |
| Mr. <i>Rae</i> , | Mr. <i>Montgomery</i> , |
| Mr. <i>Fraser</i> , | Mr. <i>Forbes</i> , |
| Mr. <i>W. Dingwell</i> , | Mr. <i>Macfarlane</i> , |
| Mr. <i>Macintosh</i> , | Mr. <i>J. Dingwell</i> , |
| Mr. <i>D. Macdonald</i> , | Mr. <i>Macneill</i> , |
| Mr. <i>Dalziel</i> , | Mr. <i>Beck</i> , |
| Mr. <i>Thomson</i> , | Mr. <i>Clark</i> . |
| Mr. <i>Gorman</i> , | |

NAYS :

| | |
|------------------------|-------------------------------|
| Mr. <i>Hudson</i> , | Hon. Mr. <i>Pope</i> , |
| Mr. <i>Yeo</i> , | Hon. <i>J. S. Macdonald</i> , |
| Mr. <i>Longworth</i> , | Mr. <i>Palmer</i> . |

So it was carried in the affirmative.

The amendment proposed by the Hon. Mr. *Pope*, as amended, was then put from the chair, and the House divided thereon, as follows:

YEAS :

| | |
|------------------------|-------------------------------|
| Hon. Mr. <i>Pope</i> , | Mr. <i>Thomson</i> , |
| Mr. <i>Longworth</i> , | Hon. <i>J. S. Macdonald</i> , |
| Mr. <i>Yeo</i> , | Mr. <i>Palmer</i> , |
| Mr. <i>Clark</i> , | Mr. <i>Hudson</i> . |

NAYS :

| | |
|--------------------------|---------------------------|
| Mr. <i>Rae</i> , | Mr. <i>Arbuckle</i> , |
| Mr. <i>Macintosh</i> , | Mr. <i>D. Macdonald</i> , |
| Mr. <i>W. Dingwell</i> , | Mr. <i>Beck</i> , |
| Mr. <i>Dalziel</i> , | Mr. <i>J. Dingwell</i> , |
| Mr. <i>Forbes</i> , | Mr. <i>Macneill</i> , |
| Mr. <i>Macfarlane</i> , | Mr. <i>Le Lacheur</i> , |
| Mr. <i>Montgomery</i> , | Mr. <i>Fraser</i> . |
| Mr. <i>Gorman</i> , | |

So it passed in the negative.

Mr. *Rae* then moved, in amendment of the Resolution originally proposed, to leave out the words 'are aware of,' in the first line, and instead thereof insert 'being fully aware of the import of the.'

The House divided on the motion of amendment :

YEAS :

| | |
|---------------------------|--------------------------|
| Mr. <i>Rae</i> , | Mr. <i>Montgomery</i> , |
| Mr. <i>Macfarlane</i> , | Mr. <i>Fraser</i> , |
| Mr. <i>Macintosh</i> , | Mr. <i>J. Dingwell</i> , |
| Mr. <i>Le Lacheur</i> , | Mr. <i>W. Dingwell</i> , |
| Mr. <i>Gorman</i> , | Mr. <i>Macneill</i> , |
| Mr. <i>D. Macdonald</i> , | Mr. <i>Arbuckle</i> . |

NAYS :

| | |
|------------------------|-------------------------------|
| Mr. <i>Beek</i> , | Hon. <i>J. S. Macdonald</i> , |
| Mr. <i>Yeo</i> , | Mr. <i>Longworth</i> , |
| Hon. Mr. <i>Pope</i> , | Mr. <i>Palmer</i> , |
| Mr. <i>Dalziel</i> , | Mr. <i>Hudson</i> , |
| Mr. <i>Forbes</i> , | Mr. <i>Clark</i> . |
| Mr. <i>Thomson</i> , | |

So it was carried in the affirmative.

The question being then put on the original Resolution, as amended,

The House again divided.

YEAS :

| | |
|--------------------------|---------------------------|
| Mr. <i>Le Lacheur</i> , | Mr. <i>Montgomery</i> , |
| Mr. <i>W. Dingwell</i> , | Mr. <i>Clark</i> , |
| Mr. <i>J. Dingwell</i> , | Mr. <i>Fraser</i> , |
| Mr. <i>Macneill</i> , | Mr. <i>Gorman</i> , |
| Mr. <i>Arbuckle</i> , | Mr. <i>D. Macdonald</i> , |
| Mr. <i>Rae</i> , | Mr. <i>Macfarlane</i> . |
| Mr. <i>Macintosh</i> , | |

NAYS :

| | |
|-------------------------------|------------------------|
| Hon. <i>J. S. Macdonald</i> , | Mr. <i>Hudson</i> , |
| Mr. <i>Thomson</i> , | Mr. <i>Palmer</i> , |
| Hon. Mr. <i>Pope</i> , | Mr. <i>Yeo</i> , |
| Mr. <i>Beek</i> , | Mr. <i>Longworth</i> , |
| Mr. <i>Dalziel</i> , | Mr. <i>Forbes</i> . |

So it was carried in the affirmative.

Mr. *Rae* then moved that the House do come to the two following Resolutions :

RESOLVED, That the said Delegate be directed to convey to Her Majesty's Government the settled conviction of this House, that the proprietary claimants have, in many instances, defrauded the cultivators, in regard to the security of deeds and leases, and in regard to the quantity of land sold and leased; that they have exacted rents for land which really belonged to the Crown—that they have, in many instances, sold to men incapable of reading any document, portions of land which really belonged to the

Crown—and that, in almost every instance, the rents and prices demanded by them are far beyond the value of the land, whether estimated by what its products will afford, or by the prices of wilderness land in Nova Scotia, New Brunswick, or the more favourable climate of the United States. That the whole procedure of the great majority of the said proprietary claimants, for the last forty years, up to this date, affords abundant proof of what has been hereinbefore stated—that such conduct, in regard to an entire Province would call for some remedy—some intervention on the part of Government—had the Titles of the proprietary claimants been, by their performance of all the conditions of the Grants, rendered unchallengeable—but that there is no such difficulty, for that whether the Imperial Government look to the non-settlement of the lands, or to the non-payment of what these proprietary claimants pledged themselves to pay to the Crown, it will, in either instance, find means for resuming the Grants, and then for making such arrangement as to the demands which such proprietary claimants can make for outlay, and as to terms on which the cultivator ought to receive the land, as the Privy Council, or the Imperial Parliament, may see meet.

RESOLVED, That the indulgences extended to the proprietary claimants, since the year 1783, have been grounded on allegations of the difficulty of the proprietors getting people to settle in the Island; and that said allegations were, in a great measure, unfounded—but that the truth was, though neither the soil is by any means strong, and though the climate is far inferior to that of Upper Canada and the United States, yet these were not by any means the only or the chief impediments to the settlement thereof, but that the settlement was mainly prevented by the demand of prices exorbitant in regard to the value of the land, and beyond the means of most emigrants, and of rents still more exorbitant.

The House divided on the question :

YEAS :

| | |
|---------------------------|--------------------------|
| Mr. <i>Rae</i> , | Mr. <i>Fraser</i> , |
| Mr. <i>Macfarlane</i> , | Mr. <i>J. Dingwell</i> , |
| Mr. <i>Macintosh</i> , | Mr. <i>W. Dingwell</i> , |
| Mr. <i>Le Lacheur</i> , | Mr. <i>Macneill</i> , |
| Mr. <i>D. Macdonald</i> , | Mr. <i>Arbuckle</i> , |
| Mr. <i>Gorman</i> , | Mr. <i>Beek</i> , |
| Mr. <i>Montgomery</i> , | Mr. <i>Dalziel</i> , |
| Mr. <i>Clark</i> , | Mr. <i>Forbes</i> . |
| Mr. <i>Thomson</i> , | |

NAYS :

| | |
|------------------------|------------------------|
| Mr. <i>Palmer</i> , | Hon. Mr. <i>Pope</i> , |
| Mr. <i>Longworth</i> , | Mr. <i>Yeo</i> . |
| Mr. <i>Hudson</i> , | |

So it was carried in the affirmative.

The Honorable Mr. *Pope* moved that this House do now adjourn; which being seconded and put, passed in the negative.

Mr. *Rae* moved that the House do come to the following Resolution :

RESOLVED, That the Assessment on Wilderness Land is not by any means adequate to produce any relief to the Tenantry, and can have very little effect in making the proprietary claimants reduce the price or rent of wilderness land, as the amount of the tax is not more than a twenty-fifth part of the rent generally demanded by them for wilderness land.

The House divided on the question :

YEAS :

| | |
|--------------------------|---------------------------|
| Mr. <i>Fraser</i> , | Mr. <i>Rae</i> , |
| Mr. <i>J. Dingwell</i> , | Mr. <i>Macfarlane</i> , |
| Mr. <i>W. Dingwell</i> , | Mr. <i>Macintosh</i> , |
| Mr. <i>Macneill</i> , | Mr. <i>Le Lacheur</i> , |
| Mr. <i>Arbuckle</i> , | Mr. <i>D. Macdonald</i> , |
| Mr. <i>Beck</i> , | Mr. <i>Gorman</i> , |
| Mr. <i>Dalziel</i> , | Mr. <i>Montgomery</i> , |
| Mr. <i>Forbes</i> , | Mr. <i>Clark</i> . |

NAYS :

| | |
|------------------------|------------------------|
| Mr. <i>Palmer</i> , | Mr. <i>Yeo</i> , |
| Hon. Mr. <i>Pope</i> , | Mr. <i>Longworth</i> . |

So it was carried in the affirmative.

Mr. *Arbuckle* then moved that the following Address to Her Majesty, founded on the above Resolutions, do now pass :

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

[The humble Address of the House of Representatives in General Assembly.]

Most Gracious Sovereign ;

We the Representatives of your Majesty's faithful people of Prince Edward Island, in Colonial Parliament assembled, humbly submit for your royal consideration—that while other provinces occasionally complain of alleged misapplications of public revenue, we have to implore the redress of a more intolerable grievance. We have to state, that those who, by undergoing the most severe labour, and submitting to the greatest privations, have converted the forest into cultivated land, receive nothing but a bare subsistence, are harassed in mind during the years of their activity, by claims which they are unable to discharge, and, in old age, are, by means of those claims, deprived of any benefit from the previous labours of their life. We submit, that in the case of a single individual, this seems grievous; but that when it is an evil which impends over the great majority of the productive classes of a community, it destroys the prosperity and comfort, and threatens the good order of society; and even when such claims are unchallengeable, involves the necessity of an abatement in the rigour of the exaction.

But we most respectfully submit that these claims, which have produced so much distress and dissatisfaction in this Island, nearly from the commencement of its government,

are not rights, but *claims* long since forfeited, though the declaration of forfeiture has been withheld. We submit, that false representations, made on the part of such claimants, are the only grounds (as your Petitioners believe) on which such declaration of forfeiture has been withheld; and as such forfeiture seems the only mode by which the cultivators can be relieved from the oppression of these claimants, your petitioners pray that such declaration be no longer withheld.

Without entering into an elaborate detail of the means that have been from time to time adopted, in order to procure redress, and the causes of the failure of the remedial measures which have been suggested, your petitioners, reposing every confidence in the zeal, prudence and discretion of William Cooper, Esquire, Speaker of this House of Assembly, have adopted the resolution of empowering him to proceed to England, for the purpose of laying their humble remonstrances at the foot of the Throne, and for affording your Majesty's Ministers such information and explanation, relative to their wants and wishes, as may be necessary for the clear elucidation of a subject possessing so deep an interest in the estimation of the Inhabitants of this Colony, as to absorb almost every other consideration.

Confiding in the sincerity of your Majesty's most gracious assurance, in reply to the joint Address of the Council and Assembly, congratulating your Majesty on your accession to the Throne of your ancestors, as communicated to the Lieutenant Governor, in a Despatch from your Majesty's Secretary of State, that "it will ever be Her Majesty's anxious wish to consult the wishes and promote the interests of her faithful subjects, the inhabitants of Prince Edward Island"—your petitioners upon whom devolves the duty of representing those wishes and interests, are encouraged to hope that your Majesty will lend a favourable ear to the representations of the Delegate whom they have chosen, and be governed in your decision by the facts set forth in the documents which he will have the honour of submitting—documents which bear incontrovertible proof of the wrongs of which the inhabitants of this Colony have long fruitlessly complained, and the reiterated rejection of measures for the redress of which, has occasioned, and is now occasioning, great misery and dissatisfaction :

And, as in duty bound to do, we shall ever pray for your Majesty's sacred person.

Mr. *Palmer* moved, as an amendment of the question, that the said draught Address be referred to a Committee of the whole House to-morrow.

Mr. *Clark* moved, by way of amendment of the proposed amendment, to leave out the words 'to-morrow,' and insert the word 'now;' which being seconded and put, was carried in the affirmative.

And then the House resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Arbuckle took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. *Arbuckle* reported, that the Committee had gone through the said Address, paragraph by paragraph, and had agreed to the same, without any amendment.

Mr. Speaker having put the question, "Is it the pleasure of the House that the Report of the Committee be agreed to?"

The House divided:

YEAS:

| | |
|---------------------------|-------------------------|
| Mr. <i>Macintosh</i> , | Mr. <i>Arbuckle</i> , |
| Mr. <i>D. Macdonald</i> , | Mr. <i>Macfarlane</i> , |
| Mr. <i>W. Dingwell</i> , | Mr. <i>Macneill</i> , |
| Mr. <i>Dalziel</i> , | Mr. <i>Clark</i> , |
| Mr. <i>Beck</i> , | Mr. <i>Montgomery</i> , |
| Mr. <i>Thomson</i> , | Mr. <i>Fraser</i> , |
| Mr. <i>J. Dingwell</i> , | Mr. <i>Gorman</i> . |
| Mr. <i>Le Lachur</i> , | |

NAYS:

Hon. Mr. *Pope*,
Mr. *Longworth*,
Mr. *Palmer*.

So it was resolved in the affirmative.

Ordered, That the said Address be engrossed.

Mr. *Arbuckle* then moved as follows:

Resolved, That the said Address, together with a copy of the Resolutions on which it is founded, be transmitted to Her Majesty's Ministers, by William Cooper, Esquire, the Delegate appointed by this House, for the purpose of being laid at the foot of the Throne.

The House divided on the question:

YEAS, 15,

NAYS, 3.

And the names being called for, they were taken down as in the last preceding division.

So it was carried in the affirmative.

Then the House adjourned until to-morrow, at Eleven o'clock.

THURSDAY, April 25, 1839.

THE Hon. *John S. Macdonald* reported from the Committee appointed to examine and report on the Officers' and the other contingent Accounts for the past and present Sessions; and he read the Report in his place, and delivered it in at the Clerk's Table, where it was again read.

Ordered, That the said Report be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Hon. *J. S. Macdonald* took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Hon. *J. S. Macdonald* reported, that the Committee had gone into the consideration of the Report of the Special Committee referred to them, had amended and then adopted the same—and the Report, as amended, was again read at the Clerk's Table, and is as followeth;

The Committee appointed to examine and report on the Officers' Accounts and contingent expenses of the past and present Sessions, report, that they have examined the same, and recommend that they be allowed as follows:—

| | | | |
|---|-----|-----|---------|
| WILLIAM CULLEN, | £ | s. | d. |
| For his services as Clerk of this House, including the indexing the Journals of the past and present Sessions, | - | 180 | 0 0 |
| SOLOMON DESBRISAY, <i>Sergeant at Arms</i> , 75 days' attendance, at 9s. | £33 | 15 | 0 |
| His Account for Fuel for the Legislative Council and the House of Assembly, and other articles for the use of the House, as per Bill furnished, | 66 | 13 | 4 |
| | | 100 | 8 4 |
| HENRY W. LOBBAN, <i>Messenger</i> , 77 days' attendance, at 7s. 6d. | - | - | 28 17 6 |
| WILLIAM BIRCH, <i>Doorkeeper</i> , 81 days' attendance, at 6s. 8d. | 27 | 0 | 0 |
| For other services, | - | - | 0 19 6 |
| | | 27 | 19 6 |
| J. H. WHITE, For printing Journals of the last Session, on his delivering the requisite number of copies to the Clerk of this House, | 32 | 10 | 0 |
| For covering one copy of the Journals for Legislative Council, | 0 | 2 | 0 |
| | | 32 | 12 0 |

J. B. COOPER & Co.

For printing Journals of the present Session, and the Appendix to the Journals of the past Session, subject to any deduction or addition which may be made by the two Representatives of Charlottetown, in conformity with their Contract, on the same being completed and certified, - - £169 10 6
 For other printing, - 25 0 0
 ----- 194 10 6

J. D. HASZARD,

For Printing and Stationery, 22 0 4
 Binding 24 copies of the Laws, from 1835 to 1839, inclusive, for the use of Members of this House, - - - 3 0 0
 ----- 25 0 4
 £589 8 2

Ordered, That the Report be agreed to.

On motion of Mr. *Rae*,

Whereas a Petition, very numerous signed, has been presented to His Excellency Sir Charles Augustus Fitz Roy, Lieutenant Governor, setting forth the advantages which would accrue to Prince County, were Princetown made a free port; and the Members of this House who presented the same, having stated in their places that His Excellency had been pleased to give in answer that he would transmit the same to Great Britain, accompanied by any Memorial which might be drawn up in support thereof: *Therefore Resolved*, that in concurrence with such transmission, and in support of said Petition, William Cooper, Esquire, as Delegate appointed to proceed to England, be authorized to forward, when in Great Britain, by every means in his power, the prayer of said Petition.

Mr. *D. Macdonald* moved that the following Address do pass, and be presented to His Excellency the Lieutenant Governor:

To His Excellency Sir CHARLES AUGUSTUS FITZ ROY, K. H., Lieutenant Governor and Commander in Chief in and over Her Majesty's Island Prince Edward, and its Dependencies, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

May it please your Excellency;

We the House of Assembly respectfully beg to state to your Excellency, that in pursuance of your Excellency's suggestion, as to the propriety of passing such Laws for the

regulation of the Fishery Reserves in this Island as might prevent improvident and injurious practices, on the part of those who might desire to avail themselves of the benefit of the said Reservations, did pass a Bill for that purpose, calculated, in our opinion, to meet the end in view, and to carry out the liberal intentions of Government in that behalf, upon the principle of extending every facility to the Fisherman, without imposing unnecessary restrictions upon their cultivation and improvement in an agricultural point of view. It is with regret we have to add, that the Bill passed by this House was sent down from the Legislative Council, with such amendments as to completely alter its nature, and which, if adopted, would, in a great measure, have rendered nugatory the views we entertained on the subject, and which we were consequently under the necessity of rejecting.

We trust, however, that notwithstanding the failure of our endeavours to frame a measure such as to accord with the views of all the branches of the Legislature, your Excellency will be pleased to exercise the discretion vested in your Excellency by Her Majesty's Government, and give such directions that the said Reserves may no longer remain unavailable for the purposes for which they were intended; and this House will, at its next Session, again enter upon the consideration of the subject, and endeavour to frame such a measure as will settle the question in a satisfactory manner.

The House divided on the question:

YEAS:

| | |
|---------------------------|--------------------------|
| Mr. <i>D. Macdonald</i> , | Mr. <i>Macintosh</i> , |
| Mr. <i>Montgomery</i> , | Mr. <i>Clark</i> , |
| Mr. <i>Forbes</i> , | Mr. <i>W. Dingwell</i> , |
| Mr. <i>Le Lacheur</i> , | Mr. <i>Beck</i> , |
| Mr. <i>J. Dingwell</i> , | Mr. <i>Gorman</i> , |
| Mr. <i>Fraser</i> , | Mr. <i>Macneill</i> , |
| Mr. <i>Rae</i> , | Mr. <i>Macfarlane</i> . |

NAYS:

| | |
|-------------------------------|------------------------|
| Mr. <i>Palmer</i> , | Mr. <i>Longworth</i> , |
| Hon. <i>J. S. Macdonald</i> , | Hon. Mr. <i>Pope</i> . |
| Mr. <i>Hudson</i> , | |

So it was resolved in the affirmative.

Ordered, That the said Address be engrossed.

Ordered, That *Rae*, Mr. *Fraser* and Mr. *Macneill* be a Committee to wait upon His Excellency with the said Address; who returning, reported to the House that their Address had been presented to His Excellency, and that he was pleased to say, he would transmit the same to Great Britain.

Mr. *Palmer*, from the Committee appointed to join a Committee of the Legislative Council, to prepare a Joint Address to His Excellency the Lieutenant Governor, acquainting him that

a part of the State Records and the Journals of the House of Commons had been omitted to be forwarded from England, for the use of the Legislature, presented to the House the draught of an Address, as prepared by the said Joint Committee; and the said draught Address being again read at the Clerk's Table, was agreed to by the House, and is as followeth:

To His Excellency Sir CHARLES AUGUSTUS FITZ ROY, K. H., Lieutenant Governor and Commander in Chief in and over Her Majesty's Island Prince Edward, and its Dependencies, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

[The Joint Address of the Legislative Council and House of Assembly.]

May it please your Excellency;

The Legislative Council and Assembly beg leave respectfully to request, that your Excellency will be pleased to convey their grateful thanks to Her Majesty's Government, for their liberality in having directed the several departments to transmit to this Island, for the use of the two Branches of the Legislature, copies of the Journals of the Houses of Lords and Commons, and of the Records published by the Record Commission—these valuable documents have arrived, with the exceptions mentioned in the list hereunto annexed.

The Council and Assembly further humbly request, that in conveying their thanks to Her Majesty's Government, your Excellency will be pleased to use your influence to obtain those portions which are yet required to complete them.

The Council and Assembly avail themselves of this opportunity of expressing their undiminished confidence in your Excellency's exertions, to meet the views and wishes of the Legislature, and to subserve the true interests of the people.

Ordered, That the said Address be engrossed.

Ordered, That Mr. Palmer, Mr. Longworth, Mr. Montgomery and the Honorable J. S. Macdonald be a Committee to join a Committee of the Legislative Council, to wait upon His Excellency with the said Address.

Ordered, That Mr. Palmer do go to the Legislative Council, and acquaint them therewith.

Mr. Palmer moved that the following Address do pass, and be presented to His Excellency the Lieutenant Governor:

To His Excellency Sir CHARLES AUGUSTUS FITZ ROY, K. H., Lieutenant Governor and Commander in Chief in and over Her Majesty's Island Prince Edward, and its Dependencies, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

May it please your Excellency;

The House of Assembly having had under their consideration certain Plans and a Specification of the intend-

ed Colonial Building, procured by order of your Excellency for the Commissioners appointed to superintend the erection of the said Building, would respectfully submit, that in laying the same before the said Commissioners, your Excellency will be pleased to bring under their consideration the necessity of so far altering and modifying the present design of the proposed Building as to render it sufficiently commodious, and in other respects adapted for the additional purpose of holding therein the Superior Courts of Law and Equity now held in the public Building used for those purposes.

And the House of Assembly, considering the demand which the want of such accommodations would in a few years hence inevitably entail upon the resources of the Colony, respectfully request that your Excellency will authorize the said Commissioners to defer entering into any Contract for the erection of the said Building until the next Session of the Legislature, and that in the meantime your Excellency will cause Specifications to be procured, with an estimate of the additional expence which will be incurred for the purposes mentioned aforesaid, and cause the same to be laid before this House at its next Session, in order that provision may be made for such additional expence, to such amount as this House may then deem necessary for the occasion.

The House divided on the question:

YEAS, 9,

NAYS, 10.

So it passed in the negative.

A Message from the Legislative Council, by Mr. Desbrisay:

' COUNCIL CHAMBER,

Thursday, April 25th, 1839.

' Resolved, That a Committee be appointed to join the Committee of the House of Assembly, to wait upon His Excellency the Lieutenant Governor, with the Joint Address to His Excellency, on the subject of the State Records, and the Journals of the House of Commons.

' Ordered, That the Honorables Mr. Attorney General and Mr. Dalrymple do compose the said Committee.

' Ordered, That the foregoing Resolution be communicated, by Message, to the House of Assembly.'

And then he withdrew.

Mr. Palmer, from the Committee appointed to wait upon the Lieutenant Governor with the said Joint Address, reported the delivery thereof, and that His Excellency was pleased to say he would comply with the desire of the Council and Assembly, as expressed in the said Address.

Resolved, That a Committee of five Members be appointed, for the purpose of corresponding, if necessary, during the vacation, with the Delegate appointed by this House to proceed to Great Britain on the business of the Colony.

Ordered, That Mr. Arbuckle, Mr. Clark, Mr. Le Lacheur, Mr. Rae and Mr. D. Macdonald do compose the said Committee.

On motion of Mr. Rae,

Resolved, That the Delegate to Great Britain be instructed to use every endeavour to obtain from Her Majesty's Government an order for carrying into effect the intentions of the Legislature with regard to the Act for the sale of the Glebe and School Lands in this Island.

A Message from His Excellency the Lieutenant Governor, by John Cambridge Wright, Esquire, Usher of the Black Rod.

Mr. Speaker;

His Excellency the Lieutenant Governor commands the immediate attendance of this Honorable House in the Council Chamber.

Accordingly, Mr. Speaker and the House went up to attend His Excellency, when His Excellency was pleased, in Her Majesty's name, to assent to the several Bills following, viz:

An Act for the relief of certain of the American Loyalists and disbanded Provincial Troops, and their Representatives.

An Act to amend an Act for regulating the several Jails within this Island, and establishing Prison Discipline therein.

An Act to amend a certain Act therein mentioned, relating to Pounds.

An Act to revive and continue an Act for regulating the sale of the Interest of Leaseholders, when taken in Execution.

An Act to revive and continue an Act therein mentioned, relating to the shutting up of old Roads.

After which, Mr. Speaker spake as follows:

May it please your Excellency;

In the name and on behalf of Her Majesty's faithful Commons, I have the honor to present several Bills of aid granted this Session to Her Majesty, and to request your Excellency's assent to the same, viz:

An Act to further continue for one year and to amend an Act passed in the Seventh year of the Reign of His late Majesty King William the Fourth, for raising a Revenue in this Island.

An Act for rendering more effectual the Laws

now in force for regulating the retail of strong and spirituous Liquors.

An Act for providing Buoys and Beacons for the Harbours therein mentioned, and for a nautical Survey of the Harbours of Charlottetown and Three Rivers.

An Act relating to Treasury Warrants.

An Act for appropriating certain Moneys therein mentioned, for the service of the Year of our Lord One thousand eight hundred and thirty-nine.

To each of which His Excellency was pleased, in the Queen's name, to signify his assent.

And then His Excellency was pleased to make the following Speech to both Houses:

Mr. President, and Honorable Gentlemen of the Legislative Council;

Mr. Speaker, and Gentlemen of the House of Assembly;

The labours of the Session having terminated, I have much pleasure in enabling you to return to your homes, after so long and close an attendance upon your legislative duties.

Mr. Speaker, and Gentlemen of the House of Assembly;

The readiness and liberality with which you have voted the Supplies for enabling me to carry on the public service, for the current year, demand my warmest thanks.

Mr. President, and Honorable Gentlemen of the Legislative Council;

Mr. Speaker, and Gentlemen of the House of Assembly;

Among the important matters which have engaged your attention, I have to regret that you have not been able to agree upon some measure for the regulation of the Fishery Reserves, so as to have given effect to the liberal concession proposed by Her Majesty's Secretary of State for the Colonies, of opening those Reserves which remained at the disposal of the Crown to all Her Majesty's subjects engaged in the Fisheries. I, however, hope, that during the approaching recess, the means will suggest themselves of bringing to a satisfactory conclusion, this important question.

After which, the Honorable the President of the Legislative Council said—

Gentlemen,

It is the will and pleasure of His Excellency the Lieutenant Governor, that this General Assembly be prorogued until Tuesday the Second day of July next; and this General Assembly is accordingly prorogued until Tuesday the Second day of July next.

APPENDIX

TO THE

JOURNAL

OF

THE HOUSE OF ASSEMBLY

OF

PRINCE EDWARD ISLAND,

FOR THE SESSION COMMENCING THE TWELFTH DAY OF MARCH,

AND ENDING THE TWENTY-FIFTH DAY OF APRIL,

IN THE YEAR OF OUR LORD

1839.

[SEE PAGE 9.]

- No. 1. Petition to the Queen of the Inhabitants of this Island, the transmission of which was deferred in consequence of the arrival of the present Lieutenant Governor in this Island in June, 1837.
2. Address to His Excellency Sir Charles Augustus Fitz Roy, from the Inhabitants of the Northern Section of King's County, presented to His Excellency at St. Margaret's, September 6th, 1837; together with His Excellency's Reply thereto.
3. Address to the Lieutenant Governor from the Inhabitants of King's and Queen's Counties, agreed to at a Public Meeting held November 8th, 1837.
4. Petition of the Inhabitants of Prince Edward Island to His Excellency the Lieutenant Governor.
5. Address to His Excellency, transmitting the foregoing Petition, from the Committee who prepared it, delivered March 7th, 1838.
6. Memorial of a Committee of the Inhabitants for managing proceedings connected with the Escheat question, to the Right Honorable Lord Glenelg, agreed to at a Meeting held at Charlottetown, 24th March, 1838.
7. Address to the Lieutenant Governor, with a copy of the foregoing Memorial; and a Schedule shewing the unequal division of the Island into Electoral Districts.
8. Copy of a Letter from Lord Glenelg to William Cooper, Esq., dated Downing Street, 14th August, 1838.
9. Copy of a Letter from Mr. Cooper to Lord Glenelg, in answer to the foregoing, dated Savile Place, Mile End, 16th August, 1838.
10. Copy of a Letter from Sir George Grey to Mr. Cooper, dated Downing Street, 25th August, 1838.

[*The humble Petition of the Inhabitants of Prince Edward Island.*]

That on the acquisition of this Island by Great Britain, and the removal therefrom of the greater part of its French inhabitants, it then became

necessary to settle this Colony with other persons; and when the Grants were made out, British subjects were not inclined to settle in a Northern Colony, but preferred emigrating to a Southern climate, which was more congenial to their constitutions, and in which they enjoyed, not only the essentials but also the luxuries of life; it therefore became likewise expedient, for political reasons, to settle the lands of this Island with Foreign Protestants; and as such settlement would require a considerable outlay of capital, the Grants were made out to many individuals possessing the same, subject to the condition of settlement with Foreign Protestants within a limited period, which settlement, together with the Quit Rents, payable annually, was the sti-

pulated terms required of the Grantees, and the forfeiture of the Grants became the penalty imposed for non-performance thereof. The more distinctly to point out the terms and nature of the Grants, your Petitioners beg leave to insert the following extract, taken therefrom, which will thereby set forth the nature and principles of Petitioners' case, which your Petitioners deem it their duty to submit to your Majesty, under the full hope and confidence that your Majesty will be pleased to cause a due investigation to take place, in order that justice may be meted out to your Majesty's Petitioners.

That the lands of this Colony were granted in the year 1767, subject to the payment of an annual Quit Rent to the Sovereign, as also to the following conditions of settlement, viz :

" The said Grantees further bind and oblige themselves, their Heirs and Assigns, to settle the said Lot or Township hereby granted, within ten years from the date hereof, with Protestant settlers, in the proportion of one person to every two hundred acres—the said Protestant settlers to be introduced from such parts of Europe as are not within His Majesty's dominions, or to be such persons as have resided within His Majesty's dominions of America two years antecedent to the date hereof; and if the said Grantees shall not settle one-third of said Lot or Township in the proportion aforesaid, within four years from the date hereof, then the whole of the said Lot or Township shall become forfeited to His Majesty, his Heirs and Successors, and this Grant shall be void and of no effect."

That it is notorious that the Grantees, by an act of their own deliberate free-will, choice and approval, accepted the Grants of this Colony, and to all appearance faithfully pledged themselves duly to fulfil and comply with the whole of the covenants therein mentioned, an undertaking they ever after studiously endeavoured to evade; for which purpose they had recourse to every stratagem that sophisticated art and wily subterfuge could suggest, and bearing before their domineering current all opposing obstacles, even causing the removal of His Excellency Governor Smith, who endeavoured to stem the rapid torrent of their devastating devices: thus they in no instance procured, nor does it appear on record or otherwise, that they ever attempted to procure, the settlement in this Colony of the before mentioned Protestant settlers: And your Petitioners further shew, that they also successfully evaded paying the Quit Rents due to His Majesty for a long series of years—consequently the production and view of the original Grants, to the most superficial observers, will enable them

to pronounce their forfeiture; after which all the efforts resorted to by the said defaulting Grantees, to sustain their titles to the lands of this Colony (as set forth by the said original Grants), or by indulgences obtained from the Sovereign, (no doubt through fraud and false suggestions,) will turn out equally nugatory, particularly when such indulgences operate against the rights and interests of third parties, who were in the actual possession and cultivation of the aforesaid lands so forfeited, for 20 years and upwards, and sought to be recovered afterwards by the defaulting Grantees, through the aforementioned indulgences.

That as a further proof that the Grantees never intended to perform the covenants entered into with their Sovereign, as set forth by the original Grants, is evident, for soon after obtaining them, they petitioned His Majesty King George the Third to erect this Island into a separate Government from that of Nova Scotia, to which it was then attached; and further to illustrate the deceptive system adopted, they endeavoured to get the Colony completely under their controul, by spontaneously promising to defray the annual expenses of its Civil List. Their Petition had the desired effect; a separation was made, suitable to their views, and in return, the assumed grantees again became defaulters, for the Imperial Parliament has, notwithstanding, had to appropriate an annual supply to defray the Civil List of this Colony, from the first establishment of its Government up to the present time, thus far succeeding in jeopardizing the councils and good intentions of the Sovereign. Some of the principal officers of our Colonial Government, through the sordid hope of realizing a property at the expense of all that is valued by loyal subjects, became the purchasers of a part of the foregoing forfeited Grants, which they obtained for a trifling sum; whilst other subordinate officers of the said Government became the authorized agents of the assumed Grantees, thereby frittering away all connexion between the oppressed inhabitants and their Sovereign—the nominal Grantees, their assigns and their agents, representing both lords and landlords of the soil. Vested with such unbounded authority, the complaints and grievances of the oppressed inhabitants, if not suppressed altogether, were misrepresented, their reputation sullied, justice denied them, and their degradation apparently fixed.

That the assumed Grantees once more mani-

fested a spirit of loyalty and liberality, by surrendering to his late Majesty King George the Third, 200,000 acres of land for the permanent location of his faithful but unfortunate Loyal American refugee troops; and by a Proclamation issued by Governor Patterson, and industriously circulated throughout the neighbouring Provinces, holding out the most bounteous encouragement (such as was given in Nova Scotia) to those deluded persons, in locating them in this colony, on landing here. Such inducements caused many of those highly deserving people to visit this colony, under the full hope of obtaining a resting place as promised; as also the other bounteous assistance, as set forth in the foregoing Proclamation. This they had every hope to realize under the protection of a King and Government, for whom many of their kindred lost their lives, and themselves were deprived of a home; but dire experience convinced them of the duplicity and base intentions of the aforesaid assumed Grantees; for those bewildered people, on landing in this colony, suffered a series of disappointments, hardships and privations, of the most appalling description. Such proved to be the realized rewards held out and conferred by the foregoing Proclamation, by which the majority of these deluded people were compelled to flee from death which threatened them in many shapes in this colony, and thus they wandered as an outcast race, without a dwelling or a home; whilst the few that remained in the country overcame the opposing obstacles and difficulties which surrounded them, kept possession of the wilderness in which they were placed, and many of them were afterwards obliged, through hardships, intrigue, and compulsory attornment, to become the abject vassals of the aforesaid Grantees, who tenaciously kept in their possession the greater part of the aforesaid 200,000 acres of land, and have since disposed of the same for their own use and benefit whenever an opportunity offered.

That in the original grants, a reservation of 500 feet from highwater mark was made on the coast of this colony, in the majority of its Townships, in order that the inhabitants might be enabled to prosecute the Fisheries with facility and convenience, and thereby add to the resources of the colony, by the product of its surrounding waters, which abound with fish of various descriptions, the benefits of which the inhabitants of the United States principally reap, through the bounties held out by their Govern-

ment; an advantage our colonists do not enjoy, by reason of its depreciated and limited finances, which are drawn off to other countries, through the exactions of rent and purchase money, made by the assumed Grantees, some of whom are citizens of the United States. Such, may it please your Majesty, your Petitioners humbly conceive, is sufficient to damp the spirit of a British Merchant and Agriculturist, and tends to retard the advancement of this colony to any thing like prosperity, whilst it enables a rival state in the neighbourhood to nurture, and bring forth, at a future period, a supply of hardy seamen, to contest the sovereignty of the surrounding waters with Great Britain.

That British subjects who emigrated to this Island at their own expense, and became inhabitants thereof, at the early period of the year 1787, made known their complaints to their Sovereign; as also in the year 1797, when His late Majesty King George the Third was graciously pleased to take the representations of his subjects of this colony into his favourable consideration, and to signify his Royal pleasure on the 6th day of August, 1802, through his Minister, the Rt. Hon. Lord Hobart, by a Despatch to the Lieutenant Governor of this Island, of which the following is an extract:—

“That the Colonial Government should be prepared to pursue, without loss of time, when circumstances should render it advisable, the requisite and legal steps for effectually revesting in His Majesty such lands as might be liable to be escheated and forfeited to His Majesty, either by non-improvement, non-payment of the Quit Rent, or non-performance of any of the conditions of the Grants thereof.”

Agreeable with this Despatch, on the 3rd day of April following, the Colonial Legislature passed an Act for effectually revesting in His Majesty all such lands as “are or may be liable to forfeiture within this Island;” but this salutary Act, instead of being carried fully into operation, as required by the Sovereign, who gave his most hearty assent thereto, served to call forth the blighting energy of the then Lieutenant Governor Fanning, who became a large Proprietor himself, and, in conjunction with other powerful and influential assumed Grantees, completely succeeded in stifling this equitable and judicious Act, and thereby prevented its salutary operation in this ill-fated colony.

That in 1818, through petitions preferred to the late Lieutenant Governor Smith, he promptly decided in escheating two Townships, viz: Lots

55 and 15, and the inhabitants then in occupation of the lands thereof he caused to be settled, by giving them Grants in fee simple from the Crown for their respective locations, demanding only the very moderate fees of office for the same, thereby rendering justice to whom it was due, which in all probability His Excellency would have judiciously followed up, in reference to other lands similarly situated to the foregoing, were not His Excellency's administration put an end to, through his removal from the Government of this colony—an event accomplished by the most perverse, vile and calumnious charges, which were brought against him through the instrumentality of the defaulting Grantees, which no doubt operates against his straight-forward and honorable character to this day.

That in justice to the Colonists, their Parliamentary Representatives were in duty bound to maintain the rights of their constituents, and follow up the equitable and judicious measures adopted by the late Lieutenant Governor; but this object the assumed Grantees effectually prevented, by the undue influence they are accustomed to exercise over the harassed people of this colony, in electing their Parliamentary Representatives—for they not only cause the return of their own Land Agents to serve in Colonial Parliament, but also those subservient thereto, by which means the Colonial Minister cannot obtain a true or accurate statement, setting forth the wants and wishes of the inhabitants of this colony. That such is virtually the case, will be easily perceived, by reference to Lord Goderich's despatch, bearing date 1st August, 1832, and Lord Glenelg's Despatch, bearing date 1836, (both of which are at variance with the despatch of Lord Hobart, transmitted in 1802, as before mentioned,) viz:

"The Assembly would consider it sufficient, as may be inferred from the proceedings before the Committee on this subject, that a Township should be proved to contain a certain number of acres, and not to contain a certain number of settlers. The establishment of this point might be enough to justify a forfeiture under the letter of the Grants; but I cannot feel that it would form a fair and equitable ground for proceeding to that extent. I am assured, and the statement is supported by its intrinsic probability, that some Proprietors have sent out more than the number of persons which would have settled their property in the prescribed proportions, but that the persons have subsequently changed their residence to other lands. * * * Thus, it is obvious, that the proposed course could not be followed without great injustice. * * It may

be suggested, that the course could be amended, by requiring Proprietors whose lands do not contain a proper number of settlers to prove that at least they have made the attempt to provide that number of settlers. In this manner, however, a long and doubtful inquiry would often become necessary, while I consider it essential to the institution of proceedings for forfeiting lands to the Crown, that they should be capable of a speedy decision, and of one capable of being foreseen nearly with certainty. Unless with these conditions, I never should consent to unsettle the minds of the colonists, by appointing a Court of Escheat.

(Signed)

GODERICH."

That many of your Majesty's Petitioners are of the oldest residents of this Colony, and are thereby well acquainted with its passing events, and assure your Majesty, it never came to their knowledge, up to the present period, that any one of the assumed Proprietors ever made the attempt to export emigrants into this Colony at their own expense, or ever attempted to locate such Emigrants on the aforesaid lands; but Petitioners are aware that many of the aforesaid Grantees hitherto derived an extraordinary and lucrative traffic by freighting ships in European ports, and transporting passengers therein to this Colony, on paying them a freight of the most exorbitant description—therefore the forfeiture of the Grants on this head is easily foreseen, and is capable of a certain and speedy decision.

The following despatch will be elucidated equally as satisfactory:

"Downing Street, 10th August, 1836.—Before His Majesty's Government could be a party to the forfeiture of any Estate, for the non-performance of any of the settlement duties, they would require to be satisfied, not only that there are not at the present moment, but that there has not been at any time, the stipulated number of settlers on that Estate, and that this circumstance has arisen from the wilful neglect of the Proprietor. It is needless to say, that such an inquiry could scarcely be now undertaken with any success.

(Signed)

GLENELG."

That in reference to the latter Despatch, it is necessary to observe to your Majesty, that the Legislature of this Colony has represented to your Majesty, by addresses to the Throne, the distressed circumstances of the agricultural inhabitants of this Colony, wrought through Proprietary oppression, and to remedy the same, has prayed your Majesty to establish a Court of Escheat in this Colony, that two or three Townships only might thereby revert to the Crown, on which the stipulated number of inhabitants

did not reside, agreeably to the Proclamation of 1816. This superficial representation of the grievances of your Majesty's subjects of this Colony, no doubt, was made with an idea of extracting an answer from the Colonial Minister, similar to the above extract, as the Legislature omitted pointing out, clearly and distinctly, without the least ambiguity, difficulty or doubt, the assumed proprietors' repeated forfeiture of their original Grants, through a breach of each and every covenant therein mentioned, as well as their delinquency in exacting from your Majesty's Royal predecessors indulgences which were not only illegal in their operation, but were also extremely injudicious in their nature, for it is a well-known principle in the administration of justice, that suspending or dispensing with Laws, or the execution of Laws (where the rights of the subject are at issue) by Royal authority, without consent of Parliament, is illegal. That the Imperial Parliament has not, in this instance, neither has the Legislature of this Colony, consented to a compromise of the foregoing breaches of the original Grants, nor have they consented to the before mentioned indulgences. It is also laid down as a maxim of law, that if a Crown Grant has been obtained by fraud, false suggestions, or be injurious to third persons, the King is bound, on proper petition to him, to allow a subject to use his Royal name to repeal it; but it is now asserted, by those adverse to the claims of your Majesty's Petitioners, that the Crown has lost its title to the lands of this Colony, being more than Sixty years in the possession of the reputed grantees and their assigns. In answer to this allegation, petitioners beg your Majesty to understand, that as early as the years 1787 and 1797, and almost every other year up to the present period, the inhabitants of this Colony, by applications and petitions, prayed for the Escheat of the forfeited lands in the same, well aware that the assumed grantees have forfeited every lawful and equitable right and title thereto, as also, that the equity of our constitutional laws enjoins on all living under their benign jurisdiction, the salutary maxim, that the delay of the law must do no man an injury. The foregoing, with other numerous facts, calculated to establish the case of your Majesty's petitioners, will be adduced, when it suits your Majesty's pleasure to appoint a tribunal to investigate the matters at issue between them and the assumed proprietors.

That the present House of Assembly has created alarm in the minds of the people of this

Colony, by giving publicity to the following extract of a despatch transmitted here by Lord Glenelg, viz:

"That even should His Majesty be advised, in any case, to proceed against lands liable to forfeiture, the Crown would, in the event of its success, exactly step into the place of the former proprietors, and would enforce the observance of every contract which might have been made with them by the tenant; and that, under no circumstances which it is possible to anticipate, would gratuitous Grants of land be ceded to any person whatever."

Your Majesty's petitioners shew, that this extract has been industriously circulated (through proprietary intervention), in order to create an undue impression on the minds of the actual cultivators of small tracts, possessed by them as freeholders, that their possessions would likewise be forfeited, if a Court of Escheat were established; the consequence has been, to prejudice the illiterate portion of that class of people in this Colony against seeking the establishment of the required and prayed for redress, and tends to effect an hostile feeling to the measure, which your Majesty's Ministers never contemplated.

That it further appears to your Majesty's petitioners, that the impositions, hardships and privations imposed on them by the assumed proprietors, have been industriously withheld from the Royal ear, as also their application for justice has been prejudiced, through the intriguing and powerful influence of those whose interests it is to oppose the claims of your Majesty's petitioners; the consequence has been, that an apparent hostility has arisen in your Majesty's councils, to resist the equitable claims of your Majesty's petitioners, which is evinced by reference to the above extract, wherein it is set forth, that in case the lands were forfeited, your Majesty's Royal person would assume the exact place of the defaulting, and thereby endeavour to enforce the performance of all contracts and engagements now existing between the assumed Proprietors and the oppressed agriculturists of this Colony, which contracts, we beg leave to inform your Majesty, originated in intrigue, fraud and deception; in such case, your Majesty's Petitioners could not entertain the foregoing idea alluded to in the said Despatch for a moment; but are convinced quite otherwise—that in exercising your prerogative, in locating your Petitioners in this Colony, through the prerogative vested in your royal person, your Majesty would do all with an equitable, laudable and

unprejudiced intention, which would add stability to the settlement of your Petitioners and their descendants, without exacting from them a greater value for the lands on which your Majesty would locate them, than they were actually worth in their wilderness state, and in such case free your Petitioners from paying an impost for their excessive, laborious and personal improvements thereon.

That his late Majesty was graciously pleased to order the sale of the reserved Glebe Lands of this Colony, in order to appropriate the funds arising therefrom, to promote the education of your Majesty's Colonists: your Majesty's Petitioners beg to state, that several of those reserves were occupied for a series of years, and much improved by those who resided on them; and that the Bill which originated in the Lower House of Assembly, by one of its clauses provided, that the improving occupants of said lands should be paid for their improvements thereon, and the residue of the purchase money realised by the sale thereof, after deducting incidental expenses, should be vested in the Colonial Treasury for the above purposes; but the foregoing equitable clause, which awarded to the occupying labourer the value of his improvements, was sternly rejected by the Legislative Council, and the aforesaid lands have been sold by public auction (by virtue of the foregoing Act), with all improvements, to the total ruin of the said occupants; and the most valuable tracts of the aforesaid lands were purchased by Members of the said Legislative Council.

That the improvements so made on the said lands, by the before mentioned occupants, considerably enhanced the price thereof, that the uninformed might be induced to believe, that the upset price laid on the wilderness lands by the Surveyor General of this Island, was an equitable valuation, and which in fact and in truth is no such thing, as the majority of the back lands of this Colony are not worth more than one-fourth of the price mentioned as aforesaid; but this systematic calculation is made to serve Proprietary ends, and is conclusive in its effects, in preventing the inhabitants from seeking an Escheat of the forfeited lands, which they occupy and have improved.

That in no instance have the Grantees complied with the terms of settlement upon which the validity or forfeiture of their grants depended, as before mentioned, therefore the unoccupied lands in this Island have induced many of your Majesty's subjects to emigrate to this Colony, at

their own exclusive expense, and to reside thereon, and improve the same; after which, by the oppression and delusion of the assumed Grantees, the aforementioned persons were induced or compelled to comply with an extorted attornment: and in this illegal act wholly centres the claim set up in a court of law by said Grantees, to demand and enforce the rents and issues of the foregoing land, in which they are borne out by the whole of the legal authorities of this Island; which lands would yet remain in their wilderness state had not the tenantry improved them, surrounded by hardships, privations, difficulties and oppressions of which the most abject slave hitherto existing in a West India colony knew nothing; add to which, the fluctuation of the seasons in this Northern climate, thereby creating the uncertainty of realizing a crop, and also the uncertainty of the moment when a plurality of assumed Landlords would visit them and distrain for rents, said to be due, all tending to create alarm, and agitate the minds of your Majesty's petitioners, alternately suspended between hope and fear—fear from the foregoing circumstances, and hope, in expectation of receiving the Sovereign's paternal protection and assistance, amidst the suspension and despondency before mentioned, whilst the assumed Landlords, by proceedings of the most harsh description, have dispossessed some of your Petitioners of their improvements, and ejected them from their homes, and also inflicted on their persons penalties and imprisonment, for the non-payment of rents to which the Grantees had no legal right, and which the coerced tenantry were wholly unable to pay, and rather than submit to such a state of degradation, numbers of the tenantry have fled from the colony; in such case the assumed Proprietors laid claim to their dwellings, and took possession of their improvements.

That the Leases given by the assumed Grantees for wilderness lands are frequently for a term of 30 years, compelling the abject tenant to pay an exorbitant rent in sterling money, which is difficult to be realized in this colony, and completely gives the said Grantees an opportunity of ejecting the ill fated tenant out of his improvements, when he thinks fit, if the same is not duly paid; and the tenants also compelled by the aforesaid Leases to pay all quit rents, land taxes, and all other dues, assessments or taxes imposed, or to be imposed within this colony, thereby making it the interest of the tenants to withhold the necessary supplies destined for the support of your Majesty's Government, by removing all

such responsibility from the Proprietor; and also rendering nugatory, or extremely oppressive, the plan struck out by your Majesty's Colonial Minister, to encourage the further settlement of this colony by a land tax, as such in its bearings tends to oppress the actual cultivators of the soil, rather than forward the improvement of the colony, which hitherto, with a trifling exception, has been accomplished by the exclusive exertions of its agricultural population, who, after their arrival here, at their exclusive expense, until very recently, have created and made the roads and bridges throughout the colony, and also, without fee or reward, constituted a body of Militia for its defence, and have hitherto performed all other duties required of loyal subjects.

That your Majesty's petitioners have submitted the foregoing statement of grievances, under the full hope of obtaining justice, well aware your Royal Throne is founded thereon, and that such has supported the honour and dignity of your illustrious ancestors. We therefore indulge the hope, that your Majesty's Royal Prerogative will extend to the protection of your Petitioners, and thereby effectually secure to them and their descendants the actual possession of those lands on which they reside, for which your Majesty's Petitioners object not to pay that reasonable annual rent your Majesty may require.

Therefore, most gracious Sovereign, your Petitioners most humbly beseech your Majesty, that you would take the foregoing grievances into your royal consideration, and cause a competent tribunal to be established within this colony, that your Majesty's rights in behalf of your oppressed Colonial subjects thereof, together with their grievances, may undergo a constitutional and impartial investigation, that the forfeited lands of this colony may be reinvested in your Majesty's Royal Person, and your Majesty's Petitioners permanently located thereon; for which, as in duty bound, your Majesty's most loyal and dutiful Petitioners shall ever pray.

No. 2.

To His Excellency Sir CHARLES AUGUSTUS FITZ ROY, K. II., Lieutenant Governor and Commander in Chief in and over Her Majesty's Island Prince Edward, and its Dependencies, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

May it please your Excellency;

We Her Majesty's loyal subjects, the Agricultural Inhabitants of the North Section of King's County, beg leave to approach your Excellency, to congratulate you on

your safe arrival with your family in this Island; to thank your Excellency for your visit to this portion of the Colony, and to express our loyalty and attachment to Her Majesty and the British Constitution. We are sure that it was the wish of our late lamented Monarch, that his subjects should always have the laws administered to them in justice and equity; and we feel confident it is Her Majesty's gracious intention that these blessings of the British Constitution should be extended to us.

We hope your Excellency will pardon our taking this early opportunity of stating, that the agricultural inhabitants are not that contented and happy people which the natural advantages of this Island, and the British Constitution, would confer upon them. We therefore beg to submit to your Excellency the grievances of which we complain.

This Island was laid out and granted conditionally to a very limited number of Grantees; and it is an undisputed fact, which we beg your Excellency to observe, that the conditions of settlement were not in any one instance complied with—the Grants therefore became void and of none effect, and the Lands were forfeited to the Crown.

About the time when this Island was granted, the British Government were of opinion that they might tax or impose burthens upon their Colonial subjects; and according to these opinions, it appears that the Grants of this Island were made to enable the Grantees to reap a benefit or emolument by imposing burthens upon the persons they were to settle on their Grants.

The impolitic measures of those times produced the successful resistance of the greater portion of the American Colonies, and those obnoxious measures were eventually abandoned by the Declaratory Act passed in 1778, whereby Government enacted, that they would no longer tax Colonies having Colonial Legislatures, except for the benefit or regulation of Trade and Navigation. Now, we humbly submit to your Excellency, that as the Grants were void and of none effect, and the Lands became forfeited to the Crown, the claim of the Grantees to impose rents on British subjects for Wilderness Lands, either through the ignorance or necessity of emigrants who arrived to settle, or from the delay of Government to revest the forfeited Lands in the Crown, or by any other indulgence or cause whatsoever, is a direct or indirect violation of the Declaratory Act of 1778—the Grantees being placed beyond the control of the Colonial Legislature, and the rents now imposed amount to more than double the revenue of this Island.

We shall not now trouble your Excellency to listen to the number of extreme cases wherein the Inhabitants have suffered by unconstitutional proceedings. We, however, solicit your Excellency's favourable attention to three recent cases. Angus Macdougald and Neil Robertson are confined in the Jail of Georgetown, for resisting the execution of a bench warrant against the person of Macdougald. It appears, Thomas Owen, Esquire, some years ago, acted as principal in a case for rent, which gave rise to his subsequent resistance as High Sheriff, in which Neil

Robertson is implicated. It is far from our intention to encourage offences, by pleading an extenuation of guilt in resisting the execution of the laws; but as these offences grew out of unconstitutional proceedings for rent, we pray your Excellency to pardon their offences, and release them from further confinement.

A John M'Innis has lately been taken in execution for rent, and lodged in the Jail of Charlottetown, and he has obtained his release on giving bail to proceed to a trial in the Supreme Court, *as between Landlord and Tenant*. As we have already explained to your Excellency that the rents imposed on the Inhabitants for Wilderness Lands are levied contrary to the Declaratory Act of 1778, and unless this Act, and the forfeiture of the Grants, can be sustained in Court as a plea for the tenant, we deem the proceedings against John M'Innis an act of oppression, directed against the whole of the Agricultural Inhabitants of this Island.

We have repeatedly prayed for a full investigation into the claims of the Grantees by a Court of Escheat, but up to this period a faction at the ear of Government has frustrated our humble endeavours; our condition is now insupportable. We therefore implore your Excellency to protect us against all proceedings for rent of the wilderness lands, until a competent Court is instituted, according to the British Constitution, to try the question at issue, and set the matter at rest for ever.

We are convinced nothing would yield your Excellency greater pleasure, than to see the people under your government contented, happy and free; and we beg leave to assure your Excellency, these ends are attainable by the application of genial measures, according to the British Constitution.

That your Excellency's and Lady Fitz Roy's residence in this Island may prove highly agreeable to yourselves, is the sincere wish of—

Your Excellency's obedient humble servants.

[Signed, on behalf of the Inhabitants of the North Section of King's County,]

JOHN MACDONALD,
Chairman.

[His Excellency's Reply.]

To the Inhabitants of the North Section of King's County.

Gentlemen,—I feel grateful to you for your congratulations on my arrival, with my family, in this Island, and for your thanks on my first visit to this part of the Colony; and I accept, with much satisfaction, the expression of your loyalty and attachment to our most gracious Sovereign and the British Constitution.

You do justice to the memory of our late lamented King, in the opinion you have formed of his character. No Sovereign who ever sat on the British Throne had the interests of his Colonial Dominions more at heart.

I regret deeply to hear you assert that the Agricultural Inhabitants do not experience such contentment and hap-

piness as the natural advantages of this Island, and the British Constitution, would confer upon them; but that regret would be infinitely increased, if the knowledge I have already acquired of the general state of the Colony could justify me in concurring in this assertion. I have already visited, in no careless or cursory manner, by far the greater portion of the Island—I have every where, and on all occasions, held the most frank and unreserved communication with all classes of the inhabitants—and it has been a source of the highest pleasure to me to have found, hitherto, a contented and happy population. I venture to hope, therefore, that you refer only to the Northern Section of this County.

I cannot help expressing my disappointment at your having reverted to the question of Escheat. This question has been already so fully discussed, and the decision of the Sovereign and the Home Government so firmly and unequivocally expressed—and so very recently, in the letter from Her Majesty's Secretary of State for the Colonies, dated the 1st of May last, which letter has been published for general information—that I did hope this subject would not have been revived. As this decision is founded upon no partial or prejudiced advice or reports, but upon the broad basis of the security of all property, it would be as useless, as it would be unbecoming to that character for plain dealing which I hope on all occasions to maintain, were I to hold out to you the slightest hope of being able to obtain the object of your wishes.

Without entering into any discussion as to the circumstances under which the original grants of Land in this Island were made, it is my duty to point out to you, that the Act of 1778, on which you ground your claims, refers only to the right of the Mother Country to tax her Colonial subjects without the consent of the local Legislatures; but it in no way bears on the question of the right of the Crown to make grants of land in the Colonies. This prerogative has never been disputed; and it is equally indisputable, that as the Crown had this undoubted right in the first instance, under any conditions it might please to impose, it has unquestionably at any time the power of waiving those conditions. Moreover, as you were acting under no compulsion when you became the tenants of the soil, but of your own free will entered into voluntary compacts with your landlords, I tell you plainly, as honest men you are bound to fulfil the contracts you have made, to the best of your ability. Wherefore, I advise and entreat you, as men of sense, (and I offer this advice with as fervent an interest in your welfare as any man among you can feel,) to dismiss this subject at once, and for ever, from your minds.

I wish on the present occasion to take the opportunity of making myself fully and clearly understood, in order, as far as may be in my power, to prevent you from any longer entertaining delusive hopes; but I would not have you depart with the impression on your minds that I am not fully aware, and that I do not sympathise with and lament the distress under which many of you are labouring; and I

most cheerfully and cordially offer you my mediation with your landlords, and with the proprietors of lands in this Island generally, to obtain for you such liberal terms as will be for the mutual advantage of both landlord and tenant. Should my remonstrances, joined to those which have been made before my appointment to this government, induce your landlords to extend the hand of conciliation, and shew in earnest that they feel for your situation, and are not inattentive to your interests, I implore you to meet their advances in the same spirit.

I regret that I cannot coincide in your view of the case of the prisoners Angus Macdougald and Neil Robertson; nor can I hold out an inducement to other misguided or ignorant persons, to set the laws they are bound to obey at defiance. I should do this if I was to remit the punishment these men have brought upon themselves by their resistance—a resistance accompanied by violence—to those laws which I have sworn to put in force, and which it is my duty, and my firm and unflinching determination, to uphold, as long as I remain in this government.

With respect to the case of John M'Innis, it is one in which it is beyond my power to interfere.

In conclusion, I will beg you to believe, that if I have felt it to be incumbent upon me to use strong and plain language, I have used it in no spirit of resentment or unkindness; and giving you credit for loyalty equal to that existing in any other section of the Colony, I trust I may live to see you a contented, happy and thriving community.

CHARLES AUGUSTUS FITZ ROY.

Sept. 6, 1837.

No. 3.

To His Excellency Sir CHARLES AUGUSTUS FITZ ROY, K. H., Lieutenant Governor and Commander in Chief in and over Her Majesty's Island Prince Edward, and its Dependencies, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

May it please your Excellency;

We the inhabitants of King's and Queen's Counties, assembled to take into consideration your Excellency's Answer to an Address from the Inhabitants of the North Section of King's County, presented to your Excellency at St. Margaret's, on the Sixth day of September last, and having carefully considered the same, together with the Address, in all their bearings, beg leave to submit to your Excellency our views and opinions thereon.

We most cordially agree with and adopt those sentiments of loyalty and attachment to the British Crown and Government, and respect for your Excellency's person and family, as conveyed in that Address of the agricultural inhabitants of the North Section of King's County.

Your Excellency was pleased to remark, in your answer to that Address, that popular discontent appeared to be confined to the North Section of King's County. We beg leave respectfully to assure your Excellency, that proprie-

tary oppression has been a source of discontent in this Colony throughout the agricultural inhabitants, from the first recollections of the oldest men in this Island up to the present day; and the degradation of the people has been so established through coercion, they have been compelled to suffer in silence, and to speak a language foreign to their sentiments; therefore their complaints can only be made known where there are men of inflexible probity, possessed of talent to express the true sentiments of the agricultural people, and to bring the subject matter of their grievances before government.

We submit another cause, which might lead your Excellency to form an incorrect opinion in this case. On your Excellency's arrival to assume the Government, delegates from the several settlements met in Charlottetown, to prepare an Address to your Excellency on behalf of the agricultural people, and also a copy of a Petition to the Sovereign, expressive of their grievances, and prayers for redress; but from unforeseen causes, these were delayed until the 4th of September last; and as the people depended on their being submitted to your Excellency, they had no desire, through importunity, to mar your Excellency's pleasure with sectional or individual complaints; but continued acts of oppression being instituted against the inhabitants in the North Section of King's County, we deem it became necessary for them to bring the subject before your Excellency in the Address of St. Margaret's, to which (with every deference for your Excellency's opinion) we are bound by conscience and truth to give our full support.

On reference to the decision of the Home Government, on the inexpediency of appointing a Court of Escheat in this Island, we beg leave to submit to your Excellency, that we could not expect a Court of Escheat, until sufficient cause was shewn to Government, founded upon principles of justice and equity, that such a Court was necessary—and we hope to be able to explain, in a clear and satisfactory manner, that the applications forwarded to Government, to attain that object, were founded upon principles quite the reverse. The representations which were prepared by the House of Assembly on the subject of Escheat, in the year 1835, were unanimously agreed to (as the representatives were then newly elected), and were carried up to the Lieutenant Governor, to be forwarded to his late Majesty, but were detained until the Session of 1836, which gave the assumed proprietors time and an opportunity to secure a majority of *one* in the House of Assembly, to clog the representations of 1835 with another Address, having the following words for its prayer—"We therefore humbly pray your Majesty *so* to exercise your Royal prerogative, by establishing a Court of Escheats, for revesting in the Crown such lands as are liable to forfeiture for non-settlement, unless in such cases, where, after a full investigation, the grantees may be found deserving of your Majesty's most gracious consideration, under the indulgences granted by your Majesty's royal predecessors." The representations of 1835 detailed the op-

pressed and unsettled state of the Colonists, and prayed, as a remedy for these grievances, that the Colonial Act of 1832, for the regulation of a Court of Escheat, be carried into operation. But in the latter Address, justice for the inhabitants, according to the merits of the case, was not sought. The whole prayer went to say, that the lands, if unsettled, of such grantees only who were found upon investigation to be undeserving of His Majesty's gracious consideration, should revert in the Crown, and other lands, though unsettled and forfeited, should remain to the defaulting grantees, as a proof of His Majesty's gracious consideration. Now, it will appear obvious to your Excellency, that under our happy constitutional monarchy, such an investigation could not take place without a specific charge against the persons of the grantees, to prove whether any of the grantees were deserving or undeserving of His Majesty's gracious consideration, under the indulgences granted by His Majesty's royal predecessors; therefore the prayer of the latter Address is evidently intended to deceive the people, to deprive them of justice, and to obtain from the Home Government the decision to which your Excellency refers. Such, we humbly submit, will point out to your Excellency these deplorable and important truths—1st. The proprietary faction have corrupted a majority of the House of Assembly, and have rendered it a tool of deceit and oppression. 2dly, The people have just grounds to be dissatisfied with a majority of the House of Assembly, and also with such a proprietary faction.

We humbly crave permission of your Excellency to explain our views of the declaratory Act of 1778, as we conceive it applies to our case; and in order to be fully understood, we revert to its origin, and we find that from the year 1764 the British Government were of opinion that the Colonies should defray the expense of their defence, either by the direct taxation of the British Legislature, or by the colonies granting the Parent Government such a sum as might be required for that purpose. But as the Colonies were not disposed to defray the expense of their defence, the declaratory Act of 1778 was passed as a conciliatory measure, to quiet the people in the (now) United States, then in a state of hostility, and to secure the allegiance of the other Colonies; and it does not appear to be contemplated by that Act, wherein the British Legislature abandoned the right to tax Colonies for their defence, that the Crown would authorize or indulge grantees, to enable them to impose a tax upon Colonial improvement, for their own emolument, by demanding a rent from British emigrants for permission to clear, to cultivate, and occupy wilderness lands; and British emigrants had no choice or alternative but to submit to such taxation, or depart from the Colony. Therefore the whole produce of man's labour from the soil is not only taxed, contrary to the said Act, but is the principal cause to disturb and defeat the intention of settlement, as contained and set forth in the conditions of the Grants, and latter indulgences of the Crown to the Grantees.

We fully admit, without dispute, the right of the Crown to grant the lands of the Colonies, or to waive the conditions of such grants, when not contrary to law and equity; but it being our opinion and firm belief, that the Crown, by the declaratory Act of 1778, abandoned the right to tax the land in Colonies having Colonial Legislatures, and the prerogative being thereby fettered by law, could not, by a grant, or waiver of conditions, authorize any person or persons to impose a burthen upon the inhabitants for wilderness land—therefore the grantees have not complied with the intentions of the Crown for the settlement of the inhabitants, in accordance with the conditions of the original grants, or latter indulgences; and in support of these our opinions, we refer to a fair example set by the Crown upon the Townships of Fifteen and Fifty-five, for the settlement of this Colony, where the charges for a grant in fee simple did not exceed one shilling per acre of land, which charge was considered to have been sufficient to cover all the expenses of settlement; and the grantees had every opportunity to avail themselves of that example. But instead of carrying into effect the intentions of the Crown, given by precept and example, for the settlement of the inhabitants, the grantees impose a tax upon the industry of those who improve the land, by demanding a rent upon their improvements, which rent is so exorbitant, and the leases of so short a duration, in many cases, that the grantees evidently intended thereby to deprive and dispossess the tenantry of the value of all their labour.

Now, as we are fully convinced that the exaction of rent for wilderness land is contrary to the declaratory Act of 1778, and contrary to the Royal intentions for the settlement of the inhabitants; and as Her Majesty's Courts of Justice in this Colony, as at present constituted, decline to investigate the matter, or to afford any relief, but, on the contrary, have invariably given judgment in favour of the grantee, against the tenant, with threatenings from the bench, without regard to the justice or equity of the case, which case is of such a peculiar and distressing nature, the grantees' exactions daily adding to the burthen of the people, that a delay of justice is a great oppression—we, therefore, as loyal men of sense and honesty, humbly implore your Excellency for a legal and constitutional remedy for these our real grievances.

Your Excellency was pleased to offer your mediation with the proprietors, to obtain for the tenantry more liberal terms from their landlords. We have, therefore, at your Excellency's earnest desire, taken the same into our consideration, and we find, upon a careful inquiry into the circumstances of the case, and give it as our opinion, that the grantees have already had sufficient indulgences from Government, at the expense of the inhabitants of this Colony, and can have no claim upon the gratitude of the tenantry. If terms were made with pretended proprietors, there can be no doubt but they will, as formerly, upon every favourable occasion, continuo to display the lust of

avarice and power, to deprive the inhabitants of their privileges and their property.

We further beg leave to submit to your Excellency another cause of popular discontent. At a meeting of the people, held at Hay River, the 20th of December last, at which three of the County Members presided, a Petition to the King was agreed to; and it was further resolved, that as the landlords were not entitled to demand rent, the tenantry would preserve their property until a legal investigation was had, and a decision obtained according to the merits of the case. The proceedings agreed to at Hay River were again submitted to a meeting at St. Peter's Bay, where the Petition was unanimously agreed to; and finally, by all the representatives for King's County, and the resolutions passed with only two dissenting votes.

The then Lieutenant Governor, Sir John Harvey, instead of instituting a Court to inquire into the grievances of the people, or of sending the same to the Home Government for investigation, and awaiting an answer, sent orders down to the House of Assembly to reprobate the conduct of the three Members who presided at the Hay River meeting, for the passing of such Resolutions. The House, therefore, instituted proceedings, but passed on from the Resolutions to find fault with the Petition which had been agreed to by the four county representatives—proceedings as unprecedented by any deliberative Assembly as they were notorious for personal vindictive rancour, to coerce the three selected Members to make them say that the 22d paragraph of the people's Petition, which related to the apostasy of the House of Assembly, was a misrepresentation; and this coercion was enforced under the penalty of being deprived of their seats, and detained in Charlottetown, under confinement and expenses—which said three Members were not permitted to make a defence to the charge preferred against them. And the said House of Assembly, after having deprived a sixth part of the representatives of their franchise, continued to legislate, to the detriment of the Colony, and to attach the blame to his late Majesty, for the non-appointment of a Court of Escheats, which their unconstitutional Address to the Throne produced, as will appear on reference to an Act passed the 20th April last, entitled "An Act for levying an Assessment on all Lands in this Island," in the following words—"Whereas by a despatch from the Right Honorable Lord Glenelg, His Majesty's principal Secretary of State for the Colonies, bearing date the Tenth day of August, One thousand eight hundred and thirty-six, his gracious Majesty was pleased to disallow the appointment of a Court of Escheat in this Island,"—thereby to insinuate to the suffering inhabitants of this Island, that our late Monarch, of blessed memory, was not disposed to do justice to his subjects.

Such, may it please your Excellency, are but the natural consequences which proceed from a system of fraud, protected by Government, and will continue, while the property and labour of an industrious people are held out as a reward for deceit and misrepresentation.

We therefore pray your Excellency to allay excitement by dissolving the House of Assembly.

May it please your Excellency; we have with one accord of the most numerous meeting that ever assembled together in Prince Edward Island, humbly endeavoured, with truth and reason, to support the Address of St. Margaret's, and former proceedings had on the question of Escheat, to us the most important that could occupy our attention; all which are humbly submitted for your Excellency's favourable consideration: and we turn from matters of grievances with pleasure, to thank your Excellency for your kind sympathy with our distress, expressed in a manner peculiar to yourself—sentiments to which we have long been strangers.

That your Excellency, upon a further acquaintance with the people, and on mature consideration of their case, may become convinced that they are entitled to justice, and that you may have the pleasure to see it administered to the settlement of the inhabitants, and to receive their grateful acknowledgments, is the sincere desire of your Excellency's

Most obedient and

humble servants,

WILLIAM COOPER,
J. W. LE LACHEUR,
JOHN MACINTOSH!

[Agreed to 8th November, in County Meetings, and again in a meeting of Delegates, the 15th November, 1837.]

No. 4.

To His Excellency Sir CHARLES AUGUSTUS FITZ ROY, K. H., Lieutenant Governor and Commander in Chief in and over Her Majesty's Island Prince Edward, and its Dependencies, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

The Petition of the inhabitants of Prince Edward Island humbly sheweth—That your Petitioners, Her Majesty's subjects, are a loyal, patient and an industrious people, who have from year to year, and from time to time, reiterated their complaints of having been led into bondage by the Grantees and their Assigns, who deprive the Agricultural inhabitants of the proceeds of their industry, to draw a revenue, or tribute, from the Colony.

2d. The oppression of which your Petitioners complain has not originated so much from any defect in the Constitution of the Colonial Government, as from a misconstruction of the Constitution by self-interested, designing persons, who claim indulgences from Government which are contrary to law, justice and equity, and such as the Crown never intended to grant.

3rd. To avoid repetitions, your Petitioners beg leave to refer your Excellency to a Report from a Special Committee of the House of Assembly, agreed to in the Session of 1835, and forwarded to His late Majesty in the year 1836; to a Petition addressed to Her Most Excellent Majesty the

Queen, presented to your Excellency the 4th of September; to the Address at St. Margaret's, presented on the 6th of September; and also to the Address from King's and Queen's Counties, presented to your Excellency on the 17th of November—which, collectively, convey considerable information respecting the grievances complained of.

4th. The representations referred to in these Documents having met with objections on the part of Government, viz: "That the Crown, by prerogative, might waive the conditions of the original grants," to remove these objections, your Petitioners will endeavour to show that the waiver of conditions by the Crown is not considered a grievance. But the *claim* set up by the Grantees to *indulgences*, which are not authorized by the waiver of conditions, is a grievance which appears contrary to justice and equity.

5th. In the year 1816, His Royal Highness the Prince Regent, by Proclamation, released the Grantees from the obligation of settling the lands with Foreign Protestants, provided that within ten years the lands shall have been settled with other persons, in the proportions specified in their original grants.

6th. The Grantees have promulgated that they had accepted the grants of land in consideration for services rendered by them to the Crown, and that they were to obtain the consideration due to them for such services, or the interest thereof, from the labour of Foreign Protestants.

7th. But as the introduction of Foreign Protestants was deemed impracticable, the Proclamation of 1816 was claimed by the Grantees as an indulgence, to enable them to obtain a high rent or price for wilderness land, through the improvements to be made by the labour and capital of British subjects; and emigrants were induced by such misrepresentations, from necessity, or threats of prosecution, to attorn, or execute a Lease, to the Grantees. Such lease or attornment thus obtained was construed to have set aside the Declaratory Act of 1778, and also to have concealed the deception. The necessity or compulsion under which the person respectively became Tenant, and the rent thus fraudulently reserved, was made a debt good in Law by Courts of Justice in the Colony, in favour of the Landlord, to deprive the Tenant of a settlement upon the land, and of any plea, in justice or equity, to obtain a compensation for his labour.

8th. Such being the construction of the Proclamation of 1816, by the Grantees and their abettors, Petitioners beg leave to shew its construction according to the British Constitution.

9th. When His Royal Highness was graciously pleased to release the Grantees from the obligation of settling the land with Foreign Protestants, he reserved, in express words, that his subjects should have a settlement upon the land before the year 1827.

10th. Your Excellency will be pleased to observe, that when His Royal Highness stipulated to have a settlement

for his subjects, it was not contemplated that such settlement was to subject them to the deceptions and impositions of the Grantees, nor to place them under conditions of settlement inferior to those of other subjects of the same class who were settled by the Crown.

11th. And when the lands are not settled agreeably to the Proclamation, and the munificent intentions of his Royal Highness—however numerous the inhabitants may be—when they are not settled, the grantees can have no claim to any indulgence whatever; therefore the lands are to be forfeited, in order that the inhabitants may be settled; as it follows, of course, from the justice and liberality of the British Government, that when His Royal Highness stipulated with the Grantees to have his subjects settled upon the land, it was a pledge from the Government to the inhabitants that they were to be settled either by the Grantees or by the Crown.

12th. It has been a general rule with the British Government, in the settlement of Colonies, that the people should be placed in a condition to enjoy the fruits of their labour, so as to be enabled by their industry to support themselves, at some period, in the rank of British Freemen—the Grantees' claims must, therefore, be such as could be borne consistently with the independence of the people, with a possibility and a fair prospect of the expenses for their location being paid at the time limited for settlement.

13th. It would be absurd, and contrary to the Declaratory Act of 1778, to impose a tax of such magnitude, so that generation after generation should remain in debt and bondage, for the settlement of their ancestors upon the wilderness lands in a British Colony; or what is still more unjust, when the Grantee will not afford other terms than a lease of short duration, or demands such a rent as will enable him at pleasure to claim the Tenant's improvements, and thereby to dispossess the persons whom he engaged to settle.

14th. But the Grantees having asserted that they have not recovered the expenses disbursed by them for the settlement of the inhabitants, it becomes the duty of your Petitioners to shew that they are not actuated by any other motives than those of justice and equity, and so to define the charges to which the Grantees would be entitled for the settlement of the inhabitants, and the charges which the Grantees have made contrary to law and to the intentions of settlement.

15th. The charges to which the Grantees would be entitled are—1st. Grantees who have, at their own expense, introduced emigrants, would be entitled to the expense of their introduction. 2d. To a fair remuneration for their location and settlement. 3d. To the value of any improvements made upon the land by the Grantee, for the benefit of the Settler. 4th. For supplies of provisions, implements, seed or stock. 5th. And to the price of the land—to be valued according to what it would yield (if any thing) in its wilderness state, as forest or pasture.

When these sums were obtained by the Grantee, or secured to him upon the land, together with the interest, as a rent, until the principal was paid, the Grantee could have no further claims upon the Settler.

Charges which the Grantees have made contrary to law, and to the intentions of settlement, to which the Grantees were not entitled, are—1st. To demand a rent from the Tenant's improvements, over and above the charges herein before stated, as the Tenant has first to sink a capital to clear land and erect buildings, is virtually to compel a Tenant to pay interest for his own capital. 2d. To demand either rent, or a price for the land reserved by the Crown for the Fisheries, 500 feet from highwater mark. 3rd. To demand an enhanced price for land, proceeding from the increase of population, and public improvement—the increased value being but the natural consequence of the increase of population and public improvement—therefore the value and amount of which belong to the public, for the support of Government, and not to the Grantee, who ought not to gain by his neglect to fulfil the conditions for settlement. 4th. To demand any sum whatever, to disturb a settler, after the year 1827, being the term for settlement limited by Government, which gives the Grantee forty-eight years of indulgence since the forfeiture of the grants—a time sufficient for the Grantees to have recovered all the expenses for settlement.

Your Petitioners being accused of having a desire for extreme measures, or a general Escheat, beg leave respectfully to submit to your Excellency, that they only desire to be settled upon the land they have improved with their labour and capital through many privations, and to be enabled to enjoy the fruits of their industry, unmolested by Grantees and Land-jobbers. Your Petitioners therefore pray your Excellency for the appointment of a Court of Escheat, as the means of obtaining so desirable an end, in order that justice may be extended to all parties interested in the welfare of the Colony; and to rebut the charges of designing men, who claim the Proclamation of 1816, as a license from His Royal Highness the Prince Regent to defraud the Agricultural inhabitants in this Island of their property, your Petitioners beg leave to adopt and introduce a proposal for the settlement of this Colony, upon principles of justice and equity, as laid before the House of Assembly in the year 1835, namely—"That were the lands liable to Escheat revested in the Crown, there would be little difficulty whatever in carrying into effect a measure so essentially necessary for the future settlement of this Colony, by which the claims of all parties therein interested might be fairly considered and justly set at rest, by having recourse to a scale something like the following:—To afford Grantees or Landholders a free grant of such lands as they have improved and settled upon; and in like manner, a free grant to actual Settlers, for such tracts as they have purchased of the Grantees; to the Tenantry, a grant in fee, on their paying the price of the land, in its wilderness state, for such tracts as they occupy—time to be allowed for payment, without interest, to such as have paid

their rent; and those who have not paid their rent, to be charged with the interest on the fee simple price, until the principal is discharged. To Squatters, a grant on the same terms. The rest of the land might be valued, and sold to such persons as are to become actual Settlers—the Grantees to receive from the proceeds of sale the balance arising (if any) between the sums expended by them for the settlement and improvement of the Colony, deducting the sums received by them for rents and sale of land, and the residue, which may be considerable, for the use of [Her] Majesty. This, or a similar plan, which the wisdom of [Her] Majesty's Ministers may devise, for the settlement of the Colony, would give general satisfaction."

Your Petitioners believe they have shewn, in a manner which cannot be mistaken, that the Grantees have not settled the inhabitants agreeably to the Proclamation of 1816, and that it is incumbent upon the Government to interfere, for the protection and settlement of the people, who are disturbed and unsettled—and therefore pray your Excellency's protection from the distress of the Grantees or their Assigns.

It has been made known to your Excellency, in the Address of the 17th of November, that a majority of the House of Assembly do not represent the people; your Petitioners therefore pray that your Excellency will be pleased to withhold your assent from any measures that may retard the Escheat of the forfeited lands, and the settlement of the inhabitants; and further, that your Excellency would be also pleased to transmit this Petition, and the several Addresses and public documents referred to in the premises, to Her Majesty's Ministry, for their consideration, in order to disabuse their minds, and furnish a fair and faithful representation of public opinion, and the grievances which prevail in this oppressed Colony. And your petitioners, as in duty bound, will ever pray.

No. 5.

To His Excellency Sir CHARLES AUGUSTUS FITZ ROY, K. H., Lieutenant Governor and Commander in Chief in and over Her Majesty's Island Prince Edward, and its Dependencies, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

May it please your Excellency;

We a Committee nominated by the People to prepare the above Petition (which is loyally and constitutionally worded,) have sent it to the people in printed copies, so as to be easily read and perfectly understood before it is signed; but the bad roads and snow drifts may delay its presentation to your Excellency for some time, and in the interim the proceedings of the Legislature may be submitted to your Excellency, for the Royal Assent—we therefore deem it our duty to inform your Excellency that such a Petition is in progress of being presented.

We also deem it our duty to pray your Excellency's consideration to the measure now before the Legislature, to change the construction of the House of Assembly. We beg leave to assure your Excellency that such changes are

not desired by the people, and even the proceedings can only be known to a few. It will appear to your Excellency that when *thirteen* members have carried and do carry such high-handed measures, it would be unnecessary to have twenty-four to transact business of minor importance. To add to the number of Representatives will add to the annual expense of the Legislature; to divide the Counties into districts will disfranchise the people, and deprive them of two-thirds of their former privileges, by confining the elector to a small District, and to two Representatives, where he has at present a vote for the whole County and the four Representatives.

We therefore pray your Excellency to withhold your assent to any such enactment, and to forward these representations to Her Majesty's Ministers, lest misrepresentations, together with the lapse of time and silence, should induce Ministers to advise Her Majesty to give the Royal Assent to measures which would prove a serious grievance to this Colony.

And your Petitioners will ever pray, &c.

[Signed by Nineteen of the Committee, and delivered at the Colonial Office two days prior to his Excellency's giving his assent to the Act to amend the Election Law.]

No. 6.

To the Right Honorable Lord GLENELG, Her Majesty's Principal Secretary of State for the Colonies, &c.

The Memorial of a Committee in Prince Edward Island, nominated by the Inhabitants, to manage the proceedings for obtaining an Escheat of the forfeited lands, and a settlement, free from proprietary thrall, for the people who have improved and supported this Colony.

May it please your Lordship;

WE respectfully submit the grievances of the Agricultural people of this Island, for the information of the Home Government, and have taken the liberty to forward these by Post. If it can be admitted, in any case, to deviate from the regulations for forwarding all communications through the Administrator of the Colonial Government, we trust that the brief statement herein submitted will not only plead our excuse, but claim your Lordship's favourable consideration.

The agricultural inhabitants of this Island are principally tenants, who have been led, by various deceptions and coercion, to attorn to pay a rent for wilderness land, which is not worth more when cleared than the price of the labour required to clear and prepare it for cultivation. The land was generally let on lease, in its wild state, for one or more years, without rent, and then to commence with a rent, increasing for several years, in proportion to a supposed enhanced value which the land might acquire from the progressive labour and improvement of the tenant; but the anticipation has not been realized, the arrears of rent have therefore accumulated, and put it beyond a doubt that the rents cannot be paid; and to pay any part thereof gives no relief or security to the tenant, as his per-

son and property remain at the disposal of the landlord. But it greatly aggravates the distress, when it becomes known and understood that the power which the landlord exercises over the person and property of the tenant is imputed to the ignorant but honest intentions of the latter, in making an attornment to the pretended landlords, who fraudulently and deceitfully took advantage of the uninformed Emigrant; and to a Colonial Government that paved the way and encouraged such transactions, by misrepresenting the intentions of the Crown.

When the present Lieutenant Governor commenced his administration, reasonable hopes were entertained that an investigation of the grievances would take place, and that justice would be administered, by the establishment of a Court of Escheat. But the proceedings have been very different. His Excellency, the Representative of our Sovereign in this Colony, instead of desiring justice to be administered, has recommended a compromise—has said and unsaid—has ordered printed letters to be sent to the proprietors, to say that the Tenantry were distressed, and has written private letters to the Proprietors, to say that the Tenants were "prosperous and contented," as will appear by the enclosed copy of a letter addressed to the Earl of Selkirk.*

When we see the liberality of the British Government extended to the sister Colonies, we are encouraged to hope that the inhabitants of this Colony will not be forgotten. For instance, the lands in Lower Canada were granted in feudal times, under the feudal tenure, and were secured to the grantee both by treaty and statute; the grantees had not neglected to perform their duties for the benefit and convenience of their tenantry, and the tenantry have not been burthened nor oppressed, to cause any complaint. But the British Legislature have seen the justice and necessity of recommending that the feudal system should be abolished, and that the inhabitants should be permanently settled.

But the grants of this Island were made upon conditions which were not complied with, and, consequently, the grants are void and of none effect. The grantees have taken the advantage of British subjects, to induce them to emigrate, and thereby to defraud them of their property, under colour of defraying the expenses of emigration, and sums of money charged for land to which they had no claim but the indulgences of the Crown. The inhabitants of this Colony have unremittingly complained of grantee oppression, and prayed the Crown for justice; therefore there is less difficulty, and a greater necessity, in this Island, than there is in Canada, to settle the inhabitants, and to secure to them "that interest in the soil they are justly entitled to by their labour." We therefore pray your Lordship to advise Her Majesty to extend justice to her subjects in this Colony, who are a loyal and industrious people.

* The copy of the letter referred to was handed in to Lord Glenelg with the other documents.

We were instructed to forward to your Lordship copies of the Petitions and Addresses which have been presented to the present Lieutenant Governor, on the subject of grievances; but as His Excellency has been requested to forward them, there can be no doubt that your Lordship has received them, and therefore we inclose only two Petitions, which refer to the rest of the documents—one Petition, which is printed, is from the inhabitants of the Island generally, and the other is from the tenants of Lot or Township Fifty-six.

The Petition from the inhabitants generally refers—1st. To a report from a Select Committee of the House of Assembly—2nd. To a Petition addressed to the Queen's Most Excellent Majesty, presented to His Excellency the 4th September last—setting forth the impositions practiced by the grantees—the distress and impoverished condition of the inhabitants—and praying for the appointment of a Court of Escheat, or other tribunal, to afford justice—3rd. To an Address presented to the Governor at St. Margaret's, on the 6th September last, to shew that the rents demanded for wilderness land is a tax imposed contrary to the intentions of the Declaratory Act of 1778, and is double the amount of the Colonial Revenue.—4th. To the Address of King's and Queen's Counties, presented to the Governor on the 17th November, explanatory of the former Address, and showing the corruption of the House of Assembly, and praying for its being dissolved.

The other Petition from the tenantry of Township Fifty-six was addressed to the Lieutenant Governor, and presented last January, praying His Excellency to forward the same to Her Majesty's Ministers, together with other documents therein referred to, namely—1st. A letter from Mr. Waller to the tenantry, threatening them with force to drive them from off the land. 2d. A Report of a Select Committee upon said letter, contrasted with another letter sent by Mr. Waller to your Lordship, and published in this Island on the 14th November last.

In reference to a Memorial from the Proprietors' Association (Great Russell Street), and a letter from Henry R. Hill (Throgmorton Street), addressed to your Lordship, to prevent the passing of an Act levying a tax upon wilderness land—without entering into the merits of their arguments, it will be sufficiently evident to your Lordship, that the *reasons* which they have advanced against a land tax of Four shillings per hundred acres, *for the support of Government*, will apply with far greater force against a tax of from Five to Ten Pounds per hundred acres, *for the support of Land-jobbers*, as demanded of the tenant for wilderness land, which will cost him another Ten Pounds per acre to bring it into cultivation.

Government appears to have given implicit credit to the assertion "that the grantees have been at considerable expense to introduce Emigrants to settle the lands, who left *their* lands to settle upon *other* lands more favourably situated;" and Mr. Hill asserts, with regard to a family property of 80,000 acres, that considerable expense had

been incurred to improve and settle the land as early as the year 1770. But the truth is, there are but few people settled upon the property to which Mr. Hill pretends ownership, or the adjoining Townships, up to this present day. In the year 1833, when the census was last taken, there were three hundred and one persons in occupation of land upon the twelve Westernmost Townships, containing 240,000 acres; and out of the three hundred and one occupants, there were only twenty-seven persons settled—the rest being no better than tenants at will.

It is believed that there have been a great many mechanics and agriculturists, men of some property, deluded from their homes to this Island, at their own expense, under promises of obtaining valuable land, upon easy terms, from Mr. Hill; but after a few years' occupation of his land, they found themselves reduced to poverty, and in debt to Mr. Hill (as the people upon his property were not allowed to deal with any other person), and were glad to get away with such portable articles as they could carry with them.

When the Government is disposed and desirous of obtaining correct information on the state of the inhabitants, and the treatment they have met with from the Grantees and Land-jobbers, the Crown will first have to afford protection, that the people may not be turned out of their possessions for declaring the truth; and then it will be found out, that while Great Britain has been negotiating with other nations, to prevent Negro Slavery, it must appear inconsistent to cherish a system in North America calculated to defraud and enslave her own children.

It will appear to your Lordship, that while the Government upholds the grantees with indulgences, to oppress the inhabitants, without allowing either inquiry or trial, it will create jealousy and distrust—as all upright men, who support the rights of the agricultural people, on the principles of justice and honor, are subjected to persecution on that score alone.

The inhabitants have repeatedly expressed themselves dissatisfied with the House of Assembly, and prayed for its dissolution, for deceiving the Colony on the Escheat question; but the House of Assembly, to maintain their opposition, passed an Act to alter the Election Law, that, by dividing the Counties into Districts, they might have a better opportunity of securing their re-election, by being returned in some of the Districts where the landlords can command the votes. This Act passed the Legislature with unusual haste, contrary to the wish of the people, expressed by upwards of two hundred persons, who prayed the Legislative Council to withhold their assent from such an arbitrary measure; but the prayers of the people met with neglect and insult, which conduct gives countenance to a rumour, that the Executive intend to set aside the Colonial Act which limits the duration of the House of Assembly to four years. We therefore pray your Lordship, that measures may be taken to secure the Constitution, as by law established, to restore confidence in the Govern-

ment, and that Her Majesty may be advised to withhold the Royal Assent from the enactment to alter the construction of the House of Assembly.

We beg leave to assure your Lordship, that the people are a loyal and faithful people, and have no other complaint but the oppression of landlords; and the most sanguine supporters or agitators for an Escheat would not desire that the tenants should obtain a freehold interest under a less sum than from three to six shillings per acre, according to local advantages; the prospect of redeeming their freedom would be a stimulus to industry; it would prevent freeholders from complaining of the purchase money which they had paid; and the money to be realized would enable Government to satisfy all equitable claims on the part of the Proprietors.

These are humbly and respectfully submitted by those whose highest ambition and only desire is, to see justice administered to the Agricultural people of this Colony, for the honor and stability of Her Majesty's Government.

No. 7.

To His Excellency Sir CHARLES AUGUSTUS FITZ ROY, K. H., Lieutenant Governor and Commander in Chief in and over Her Majesty's Island Prince Edward, and its Dependencies, &c. &c.

May it please your Excellency;

We, a Committee appointed by the people to manage the proceedings for obtaining an Escheat of the forfeited lands, and a settlement for the inhabitants, deem it our duty most respectfully to furnish your Excellency with the copy of a Memorial to the Right Honorable Lord Glenelg, Her Majesty's principal Secretary of State for the Colonies; and also a Schedule, shewing the unequal division of the Counties into Electoral Districts, which, together with other Documents therein referred to, have been forwarded to England by Post.

We beg leave to point out to your Excellency a paragraph in the Memorial, relating to a rumour afloat, which produces considerable excitement, that the Executive intends to set aside the Law limiting the duration of the House of Assembly to four years. If such rumour is without foundation, your Excellency will see the necessity of contradicting such report.

We respectfully request your Excellency to inform the Committee, whether any answer has been received to the St. Margaret's Address, or latter Documents, which may have been forwarded to Her Majesty's Ministers, praying for the appointment of a Court of Escheat.

(Signed) MUNGO MACFARLANE,

Chairman.

Charlottetown, April 4th, 1838.

| Prince County. | | | Queen's County. | | | King's County. | | |
|----------------------------|---------------|--------|-------------------------------|---------------|--------|----------------------------|---------------|--------|
| Town-ships. | Inhabi-tants. | Total. | Town-ships. | Inhabi-tants. | Total. | Town-ships. | Inhabi-tants. | Total. |
| 1st District. | | | 1st District. | | | 1st District. | | |
| 1 | 459 | | 20 | 655 | | 47 | 755 | |
| 2 | 173 | | 21 | 611 | | 46 | 265 | |
| 3 | 111 | | 22 | 221 | | 45 | 502 | |
| 4 | 169 | | 23 | 548 | | 44 | 464 | |
| 5 | 213 | | 24 | 1002 | | 43 | 473 | 2,459 |
| 6 | 131 | | 33 | 521 | | 2d District. | | |
| 7 | 99 | | 34 | 1270 | | 38 | 322 | |
| 8 | 100 | | 67 | 119 | 4,947 | 39 | 330 | |
| 9 | 33 | | 2d District. | | | 40 | 408 | |
| 10 | 36 | | 29 | 575 | | 41 | 318 | |
| 11 | 163 | | 30 | 159 | | 42 | 358 | |
| 12 | 127 | | 31 | 348 | | 55 | 362 | |
| 13 | 275 | | 32 | 774 | | 56 | 516 | 2,614 |
| 14 | 367 | 2,453 | 35 | 657 | | 3rd District. | | |
| 2d District. | | | 36 | 452 | | 54 | 121 | |
| 15 | 575 | | 37 | 404 | | 53 | 319 | |
| 16 | 409 | | 48 | 515 | | 52 | 218 | |
| 17 | 835 | | 65 | 820 | 4,704 | 51 | 171 | |
| 18 | 753 | 2,572 | 3rd District. | | | 66 | 50 | |
| 3rd District. | | | 49 | 858 | | 59 | 325 | |
| 19 | 773 | | 50 | 857 | | 61 | 231 | |
| 25 | 349 | | 57 | 1099 | | 63 | 256 | |
| 26 | 455 | | 58 | 590 | | 64 | 528 | |
| 27 | 374 | | 60 | 336 | | 2,219 | | |
| 28 | 923 | 2,874 | 62 | 356 | 4,096 | 7,292 | | |
| 7,899 | | | 13,747 | | | 244 | | |
| Princetown and Royalty, | 474 | | Charlottetown and Royalty, | 2,541 | | Georgetown and Royalty, | | 18 |
| | | | St. Peter's Island, | 28 | | Pannure Island, | | 39 |
| | | | Rustico Island, | 4 | | Boughton Island, | | |
| | | | Governor's Island, | 19 | | | | |
| 8,373 | | | 16,339 | | | 7,593 | | |

and having also considered the documents which you placed in my hands, I think it necessary, before further communication with you on the subject of your mission, to apprize you of the recent steps adopted by Her Majesty's Government, in regard to the affairs of the Colony.

In the course of last winter, several of the largest Proprietors concurred in selecting, as their Agent, Mr. G. R. Young, of Nova Scotia, who was at that time in this country. After many interviews with this gentleman, I received from him the document, of which a copy is herewith inclosed, being a proposal for the sale and settlement of lands in Prince Edward Island. It appeared to me that the terms thus proposed would, if acted on, be generally advantageous no less to the Tenantry than to the Proprietors; and in transmitting a copy of them to the Lieutenant Governor, I expressed to him that opinion, and directed him to endeavour, on all fit occasions, "to remove every unreasonable mistrust or apprehension under which the less informed classes of society may labour." You will, of course, understand that Her Majesty's Government have not directed Sir Charles A. Fitz Roy to interfere in any authoritative manner between the proprietors and their tenants, but have merely sanctioned such a mediation, on his part, as may appear most likely to restore harmony between all parties, and to promote the peace and welfare of the Island.

In regard to the Act to amend the Election Law of the Island, I have already informed you, that it had been sanctioned by Her Majesty in Council prior to the receipt of the Petition against it. I have therefore only to mention, that it was received at this office on the 25th April, and was submitted to Her Majesty in Council, and specially confirmed, on the 15th of last May—the Petition against its confirmation, signed by Mr. Collins, and others—a copy of which you delivered to me—was not received at this office until after that time.

I have the honor to be, Sir,

Your most obedient, humble serv't.

(Signed)

GLENELG.

W. Cooper, Esqr.

15, Savile Place, Mile-End Road.

PRINCE EDWARD ISLAND.

FIRST. *Proposed Terms for conducting Sales of Lands in the Island of Prince Edward.*

Each Township belonging to the undersigned will be surveyed as the demand for land rises, roads laid out in the most judicious direction, and the land be parcelled out in lots of 100 or 200 acres each, with a frontage on the road of 10 chains to each 100 acres.

An upset price will be set on each lot, regard being had to quality and location, varying from six shillings

and three-pence, Halifax currency, to twenty shillings, Halifax currency, per acre; the great body of lands to be offered at the lesser or intermediate prices, and the higher for those lots only of the first quality, as to soil and convenience of location. The Government demand, for ungranted lands in the Island, twenty shillings per acre. The average price of land sold by the British North American Land Company last year, was nine shillings and two-pence per acre. The timber lands, sold in New Brunswick to Americans in large tracts, brought from ten shillings to fifteen shillings per acre. A tract belonging to the heirs of Sir John Wentworth, situate in the district of Pictou, in the Province of Nova Scotia, sold in 1835, from fifteen shillings to twenty shillings per acre; and the undersigned have the best authority for asserting their lands to be equal in soil, and more eligible for settlement, than any of the above referred to. By the British Packet, which arrived in December, one of the undersigned has received a proposal from a resident in the Island, for the purchase of 500 acres of his estate, at the price of twenty shillings currency per acre.

Sale to be offered on the following Terms and Conditions.

The purchaser, on paying 25 per cent. of the price, to be let into possession of the land, under an agreement to pay the interest annually, and to be entitled, on one half of the purchase money being paid, to have a deed in fee simple. The agreement to be in writing, and signed by both parties. Before going into possession, the buyer to execute a Warrant of Attorney in Ejectment, to be acted upon, if failure be made in the payment of interest or purchase money. To secure the other half of the purchase money, the purchaser to give a mortgage over the land, with a power of sale contained in it, and to execute a Warrant of Attorney in Ejectment, both to be drawn in conformity with the agreement.

As the purchaser is to receive the balance, if a sale should take place, over the money owing by him, it is his interest, as much as that of the Proprietor, that suits and legal expenses should be avoided. The power of sale and warrant are insisted upon, to save unnecessary expense.

The Proprietor to be bound in the said agreement and mortgage, to receive the balance of the purchase money, with the interest due, whenever tendered.

The purchaser to pay the remaining moiety in five equal annual instalments, with interest, charged at the rate of five per cent., due at the time of each instalment being paid; on failure of payment, the Proprietor to have the right of selling the lot.

If the Proprietor, in default of payment by the purchaser, determine to sell, four months' notice by adver-

tisement in an Island newspaper, must be previously given; and, upon a sale being made, the balance (if any), after deducting expenses, to be paid over by the Proprietor to the owner. After the four months' notice, the Proprietor to have the power of selling, at any future time, by public or private sale.

The purchaser, after he obtains his deed, to have the right to sell at any time to a third party; but the Proprietor to have the option of accepting the new purchaser as his debtor, for the balance of purchase-money due, or of retaining for such balance the liability of the first purchaser.

The buyer to take the land subject to the payment of quit rent, and any tax now imposed, or that may hereafter be imposed, upon the land.

SECOND. Terms of settlement proposed to the present Tenantry.

The occupying tenants to have the option of purchasing their farms at twenty years' purchase in every case, supposing the rents to be One Shilling per acre; if more rent be paid, this sum and proportion to be adopted as the maximum, and the tenantry to be allowed the same liberal conditions for paying the purchase-money as already stated; or they may continue to hold on lease, as may be most agreeable to them.

It is impossible to fix a standard to meet the circumstances of each individual case.

The Proprietors bind themselves absolutely, not to exceed the years of purchase above proposed with any tenant; but they are ready to open a negociation with each of them, and to take into favorable consideration the circumstances, which the tenant is of opinion entitle him to a deduction.

The Proprietors have the clearest evidence to prove, that many settlements have been effected in past years by the tenants upon these terms, and that they will be most acceptable, at the present time, to the great body of the tenantry.

LEASES.

THIRD. Terms proposed to Emigrants and New Settlers for Leases.

To those who, in place of purchasing, prefer to remain as tenants, to emigrants, and to new settlers, the lands will be let in lots of 100 acres each, upon the following terms:

Leases will be granted for sixty-one years certain, or the longest of *Three Lives*, to be named when the Lease is executed, or for ninety-nine years, upon the following rents:—

First and Second year - - No Rent.

| | | s. | d. | |
|-------------|---|----|----|----------|
| Third year | - | 0 | 3 | per acre |
| Fourth year | - | 0 | 6 | ditto |
| Fifth year | - | 0 | 9 | ditto |
| Sixth year | - | 1 | 0 | ditto |

} Sterling.

And to continue for the remainder of the term, at the rent of one shilling per acre, or five pounds sterling per 100 acres. The tenant to pay the quit rent, and all taxes now existing, or to be hereafter imposed upon land.

The rents to be paid by the tenant, either in money, or in grain, salted beef, pork, or butter, raised from the land, at the market price, to be delivered either at Charlottetown, or at some other shipping port, as may be decided upon by the Proprietor; and a written or printed notice to be given to the tenant, or left at his usual place of abode, at least one month previous to the day of payment. The grain and other articles named to be delivered in good marketable or shipping condition.

The rent to be paid in labor, if the Proprietor require it; but the tenant to have the option of paying in money, or produce raised from the land.

The tenant, at any future time during the continuance of the lease, to have the right of purchasing upon the same terms as before detailed.—This will appear as a condition in the lease.

The Term Day, for the payment of rents, to be the 20th of November in each year.

The undersigned hereby agree to be bound, absolutely, to the terms above stated, for the period of five years, from the 1st of May next.

They submit those terms as to price, and for the facility and purposes of settlement, as more liberal and advantageous than if the lands were ungranted, and remained now under the control of the Government. If still at the disposal of the Crown, the upset price would be as high, if not higher, than they demand, and the purchasers could not enter upon the land, or enjoy title, until the whole of the price had been paid down: they offer to receive their payments by instalments. To lease the lands, as they propose, is a plan which the Government has not attempted in any other Colony, and which could not be introduced, except at an expense which the undersigned believe would exceed the receipts. Their proposal to accept the rents in labor, or in produce, it is clear, could not be done, except by private individuals. They accept interest at 5 per cent. in place of 6 per cent. which is the legal rate in the Island, and in the neighboring Colonies of Nova Scotia and New Brunswick.—Further, the above terms now proposed are even more liberal and conciliatory than those suggested by Sir John Harvey, while he held the administration of the Government; and they have his assurance by letter, that if the terms submitted by him were agreed to, every ground of dissatisfaction would be removed.

They refer, in conclusion, to the third head of the proposals, as a fresh proof of the anxiety they really feel, to promote the settlement of the Island, and to

carry on a regular and extensive system of emigration; if the local authorities and the legislature would employ their influence to suppress the present disturbances, to vindicate the execution of the laws, and to support the rights of the undersigned, which are founded upon the sanction of the law, and entitled as they are to favour, from the liberal spirit in which they have been, and are still, disposed to exercise them.

(Signed) *George R. Young*, Solicitor and
Counsel for
A. Colvile, Executor of Thomas
Earl of Selkirk.
David Stewart.
Robert Stewart.
Robert Bruce Stewart,
Sir Thomas Sorell, and others.

London, 27th January, 1838.

No. 9.

15, Savile Place, Mile End,
16th August, 1838.

MY LORD;—I have to acknowledge the receipt of your Lordship's Letter of the 14th inst., together with a document purporting to be 'A proposal for the sale and settlement of lands in Prince Edward Island, by Mr G. R. Young, of Nova Scotia, as Agent to several of the Proprietors of the Grants of this Island.'

Proposals for a compromise between the Grantees and the Inhabitants were made by the present Governor shortly after his arrival in the Island, and I beg leave to refer your Lordship to the Address of the inhabitants of King's and Queen's Counties, presented to the Governor on the 17th November last, where their answer will appear in these words—'Your Excellency was pleased to offer your mediation with the proprietors to obtain for the tenantry more liberal terms from their landlords. We have, therefore, at your Excellency's earnest desire, taken the same into our consideration, and we find, upon a careful inquiry into the circumstances of the case, and give it as our opinion, that the grantees have already had sufficient indulgences from Government, and can have no claim upon the gratitude of the tenantry. If terms were made with pretended proprietors, there can be no doubt, but they will, as formerly, upon every favourable occasion, continue to display the lust of avarice and power, to deprive the inhabitants of their privileges and their property.' At the time when the above address was agreed to, it was generally understood that the grantees would reduce the rents to Sixpence per acre, and extend the term of leases to 999 years.

To treat with the grantees under any proposals would be to sanction a system of fraud, to deprive the Crown of its rights, and the inhabitants who have improved the Colony of the value of their labour and capital. My duty is therefore to solicit the Crown for justice, that the forfeited lands may be revested in the Crown, and the inhabitants settled, to secure to them that interest in the soil they are justly entitled to by their labour.

Your Lordship has been pleased to inform me that the Act to amend the Election Law of the Island received Her Majesty's special confirmation on the 15th last May, and (if I have rightly understood your Lordship) the Royal Assent was given to it, in consequence of the Governor withholding the necessary information, which would have enabled Her Majesty's Government to see the partiality and injustice of such an enactment.

I can only say, that every possible exertion has been made by the inhabitants for two years past, to prevent factious and oppressive measures being enacted into laws; and the Act in question has not received the sanction of the people, nor is entitled to the solemnity of a law by receiving the Royal Assent. It was got up and hurried through every stage, as a proof of guilt, hastened away to be disposed of like a thing stolen; and it is my duty in behalf of the injured portion of the inhabitants, to enter my solemn protest against its going into operation.

The Government might in some measure prevent its injurious effects, by the Escheat of the forfeited lands and the settlement of the inhabitants; in that case there would be less inducement for factions to oppress the people, and consequently a more general desire for the welfare of the colony.

I have the honor to be,

My Lord,

your Lordship's most ob't.

humble servant,

(Signed,) WILLIAM COOPER.

To the Right Honorable
Lord Glenelg,
Colonial Office, Downing Street.

No. 10.

Downing Street, 25th August, 1838.

SIR;—I am directed by Lord Glenelg to acknowledge your letter of the 16th inst., offering some observations in regard to the terms proposed by certain proprietors of land in Prince Edward Island to their tenants.

Until Lord Glenelg shall be informed of the manner in which those terms have been received by the tenants, he must decline canvassing the question with any third party. But in order to prevent misconstruction, his Lordship takes this opportunity of apprizing you, that is not the intention of Her Majesty's Government to establish a general Court of Escheat in Prince Edward Island, or to take proceedings for enforcing the forfeiture of the lands on which the original conditions of the Grants have not been complied with. After very fully considering the subject, Her Majesty's Government decided, and announced their decision, that such a course would be inconsistent with justice, with sound policy, and would tend only to unsettle the minds of the inhabitants of Prince Edward Island, and to shake the rights of property in that Colony.

Having attentively weighed the observations which you have submitted to Lord Glenelg in more than one interview, his Lordship does not see any reason for departing from that decision. If, however, under the

special circumstances of any individual case, steps should be taken for forfeiting a grant, the Government would not, as appears to be anticipated, make a free Grant of the lands so forfeited to the actual settlers, but would then consider what conditions should be imposed on the purchase or lease of that land, whether to the persons in actual possession or to others.

With regard to the Act for amending the Election Law in Prince Edward Island, I am to state, that that Act having become law, it is not possible for Her Majesty's Government to alter it, except with the consent of the Local Legislature; and until it be so altered, it is of course obligatory on all Her Majesty's subjects inhabiting the Colony.

I have the honor to be, Sir,
your most obedient
humble servant,

(Signed,)
W. Cooper, Esq.

GEORGE GREY.

APPENDIX

(B.)

[SEE PAGE 73.]

YOUR Committee, appointed to examine into and report upon the documents laid before the House of Assembly, relative to the extent and boundaries of the Royalty of Georgetown, and the circumstance of a certain portion of the lands within the limits of that Royalty having been declared and acted upon by the Surveyor General of this Island as lands not within, but adjoining, the said Royalty; and also on the fact of so much as Four hundred Acres of the said portion of Royalty Lands having been, in the year 1834, granted, under the Great Seal of this Island, to one individual, namely, R. S. Cumming, Esq., M. D., having had the several matters under their consideration, have to report—that having had before them the Hon. George Wright, Her Majesty's Surveyor General of Lands in this Colony, the information obtained from him on the several matters on which he was interrogated by your Committee, is as follows:—

COMMITTEE ROOM,
House of Assembly.

The SURVEYOR GENERAL examined.

Q. How long have you been Surveyor General?

A. Eleven years.

Q. On your appointment, did you receive any Plans, and Books descriptive of the plans?

A. I received all the Plans found in the Office of my predecessor, but no Books descriptive thereof.

Q. Was a Plan of the Town and Royalty of Georgetown among the Plans?

A. There were three Plans of the Town and Royalty of Georgetown among the Plans delivered to me.

Q. Is there a description of the Town and Royalty of Georgetown in the Book descriptive of the Lands of this Island which you received?

A. I received no Book containing a description of the Town and Royalty of Georgetown.

Q. Can you give any reason why a description of Georgetown is wanting?

A. I can give no reason why a description of Georgetown is wanting.

Q. After all the Townships in this Island, in the Book descriptive of the Plans, are numerically stated to No. 65, why is there a full half leaf of the Book taken out, and the writing on the back thereof rendered illegible?

A. The Book referred to in this question is private property.

Q. As there does not appear to be any authentic description of the Royalty of Georgetown, in any of the

Government Offices, on what authority did you describe the Grant to Doctor Cumming as land adjoining the Royalty of Georgetown?

A. By the authority of the documents of my office, and in obedience to a Warrant of Survey, to me directed, bearing date the 17th day of May, 1834.

Here your Committee beg to remark, that the documents referred to are mere Plans, and not written descriptions, and that the information on which the Warrant of Survey was drawn must have emanated from the Surveyor General himself.

Q. After the arrival of Doctor Cumming in this Island, were you requested to furnish to the Government a statement of the quantity of land held by the Crown?

A. In the year 1832, I received instructions from the late Lieut. Governor Sir Aretas William Young to furnish him with a Return of all Lands then at the disposal of the Crown.

Q. Under what description did you give the lands North-eastward of the Town and Royalty of Georgetown?

A. I described the lands North-east of the Common of Georgetown as land "adjoining the Royalty of Georgetown."

Q. On what authority did the Lands receive this description?

A. On the authority of the documents of my Office.

Q. How many acres do the Town and Royalty of Georgetown contain?

A. The Town, Common and Royalty contain 2,745 acres.

Q. How many Pasture Lots are there in Georgetown Royalty?

A. Two hundred and eighty-six.

Q. How many Pasture Lots are there in Princetown Royalty?

A. Four hundred and twelve.

Q. How many Town and Water Lots are there in the original Plan of Georgetown and Royalty?

A. Three hundred and fifty-two Town Lots, but no Water Lots.

Q. How many Town and Water Lots are there in Princetown Royalty?

A. Five hundred and twenty-nine Town Lots, but no Water Lots.

Your Committee, on referring to the mutilated remains of the original Plan of the first Survey of this Island, as performed by Captain Holland, in the year 1764, and now kept in the office of the said Surveyor General, observe, that no distinction of Lands for different purposes is given

on that laid off for Georgetown and Royalty, but the same is merely described as one tract of 4000 acres.

That upon reference to the records of the proceedings of the Land Commissioners of his late Majesty King George the Third, for Trade and Plantations, relative to this Island, they find, that on the 8th July, 1767, the following method was arranged and adopted by that Board, for the settlement of the several tracts of Land laid off for the Towns of this Island, viz :—

(EXTRACT No. 1.)

(Copy.)

WEDNESDAY, July 8, 1767.

AT A MEETING OF HIS MAJESTY'S COMMISSIONERS FOR
TRADE AND PLANTATIONS.

Present,

Lord Clare,

Mr. Fitzherbert, Mr. Robinson.

Resolved, That it be recommended, that all such parts of the Island of St. John's as have been reserved and set apart for the building of Towns, as delineated upon the Survey, and expressed and described in the explanatory Table referring thereto (Appendix No. 2, hereunto annexed), be laid out for that purpose in manner following, that is to say :—

That the number of Lots for Houses in each Town, and the extent of the Town itself, be determined at the discretion of the Surveyor appointed to lay out the said Town, and who is to exercise his judgment in this matter, according to the nature and situation of the ground.

That great care be taken in laying out the ground for each Town, that proper parts thereof are reserved and allotted for the site of a Church, Town House, Market, and other necessary Public Buildings.

That the Lots for Houses be of different extent, so that none do exceed sixty feet in front, and one hundred feet in depth.

That after the site of the Town shall have been so laid out, fixed and ascertained, the remainder of the Land contained in the reservation marked upon the survey, be disposed of in manner following, that is to say :—

That a proper district and in a convenient situation be marked out and set apart for a Common to each Town, of such extent as shall be proportioned to the size of the Town.

That the residue of the Lands be laid out into Pasture Lots, proportioned in number and extent to the number and size of the Town Lots, allowing one acre of Pasture Lot for every ten feet in front of the Town Lot.

That if the residue of the Town Lots, over and above what shall be necessary for the Town, shall not be sufficient in quantity for Common and Pasture Lots, according to the above plan, that the Land to be assigned to each Town Lot for a Pasture, shall be less in quantity, keeping, however, the same proportion; and if, on the contrary, there should be more than a sufficiency for the above purpose, according to the said proportion, the surplus to remain as demesne Lands of the Crown, subject to such future disposition as His Majesty shall direct.

Resolved, That it be recommended that the above mentioned Town and Pasture Lots be granted in fee simple, under the Seal of the Province of Nova Scotia, to such person or persons as will give proper security to build within a reasonable time upon the Town Lot, and to enclose and fence and properly clear for Pasture, the Lots set apart for that purpose, but no one person to have a grant of more than one Town and Pasture Lot.

That in every Grant of a Town and Pasture Lot there be a reservation to His Majesty, his Heirs and Successors, of a ground rent on the Town Lot of One Penny, for every foot in front, and a Quit Rent on the Pasture Lot, of Three-pence per acre.

And it further appears, that such proceedings were annexed to and formed part of the Royal Instructions of his said Majesty King George the Third, issued to the Governor of this Island in the year 1769; but on reference to those Instructions in the Colonial Secretary's Office, that part referred to in the above Resolution, as Appendix No. 2, has, from accidents, the effects of time and usage, or some other unaccountable cause, been detached from the original document, and is not now forthcoming. This defect, however, has been supplied by the copy of those Instructions deposited in the Library of the House of Assembly, which your Committee have every reason to believe authentic, inasmuch as it had been claimed by the late Lieut. Governor Sir A. W. Young, as part of the Government Records, and originally belonged to Lieut. Governor Desbrisay, and from which the following is an extract :—

(EXTRACT No. 2.)

"Georgetown, 4000 Acres, bounded as follows:—on the North, by Cardigan River; on the South, by Brudenell and Montague Rivers; on the East, by Cardigan River; on the West by the Division Line of Lot No. 53, North and South, One mile and 4000 feet.

"This County Town Lot has a great many advantages from its situation, as having the inland communication by Montague, Cardigan and Brudenell Rivers; and is surrounded by water. It is set by the Division Line of Lot No. 53."

That upon ascertaining how far the aforesaid recommendations of the Commissioners for Trade and Plantations were carried into effect, your Committee find, that with respect to Charlottetown, the Lots within the said Town, although one-fourth more in area than those within Georgetown, have only the same extent of front, viz : 84 feet; and the Pasture Lots of Charlottetown are 12 acres each—by which relative proportion of land between the Charlottetown Pasture and Town Lots, it appears, that even a greater extent of the Lands laid off for Charlottetown were appropriated for its Royalty, than was recommended by the said Commissioners. The number of Town Lots in Georgetown being 352, the quantity of Land necessary to afford each of those Town Lots a Pasture Lot of the proportionate size recommended by the said Commissioners, for Pasture only, would be 2958 acres: whereas, the quantity of Land at present in the Royalty of Georgetown, as deduced from the aforesaid statement of the Surveyor General, is only 2288 acres, which would leave a deficiency, in acting on the above arrangement, of 669 acres; and if we add to this a Pasture Lot for each of the 32 Water Lots contained in Georgetown, the deficiency would be increased to 940 acres, which quantity comes to within 60 acres of the contents of the tract described by the Surveyor General as "adjoining the Royalty;" therefore, it evidently appears, that if any Lands were in fact originally reserved as demesne Lands of the Crown, they could only amount to sixty acres. On making a calculation at 8 acres for such Pasture Lot, being the quantity actually laid off, it would further appear thus—

Town and Common, as deduced from the Surveyor General's statement, - - 457

Quantity of Royalty Land required to admit of a Pasture Lot of 8 acres to each of the Town Lots 2816

Total quantity of land returned by the Surveyor General, in Town, Common and Royalty 2745

Difference, 528

To this, if we add Pasture Lots required for 32 Water Lots in the said Town, not included in the above, at 8 acres each 256

Acres, 784

Thus it would appear, that if the recommendations of the said Commissioners had been adhered to, by allowing an 8 acre Pasture Lot for each and every Lot in the Town, there would be required 784 acres of Royalty Land, in addition to the quantity of Royalty Lands returned by Mr. Wright—making it therefore evident to your Committee, that the land stated by the Surveyor General as “adjoining the Royalty,” is part and parcel of the Royalty itself.

It further appears to your Committee, that if it were originally intended that the said Royalty should contain only 2288 acres, according to Mr. Wright's calculation, the recommendations of the Commissioners for Trade and Plantations, and Royal Instructions hereinbefore recited, could not have been complied with, as there are nearly 100 Pasture Lots wanting, to give a Pasture Lot to each Town and Water Lot—there being 384 Town and Water Lots, and only 286 Pasture Lots.

Your Committee herewith submit an office copy of the Plan of the Town and Royalty of Georgetown, whence it appears that the tract of land stated by the Surveyor General as reserved Lands, lies East and North of the Common of said Town; and although distinguished on said Map by a line purporting to divide it from the Royalty, it appears to be merely a continuation of the Western Boundary Line of the Common to Cardigan River shore. Your Committee cannot discover that such line was run or laid down by any authority of the Government of this Island, and no circumstance within the knowledge of your Committee could, in their opinion, have warranted the Surveyor General in acting on and representing such line as the limit of the Royalty, and thereby excluding a portion of about 1000 acres of the most convenient and valuable part of the Royalty.

That on the said land being described by the Surveyor General as adjoining the Royalty, and at the disposal of the Crown, 400 acres thereof were granted to one individual, namely, R. S. Cumming, Esq., M. D., late of the 7th Hussars, and valued at only Ten Shillings sterling an acre; while 120 acres adjoining that granted to Doctor Cumming were, at the same time, sold by the Surveyor

General at the sum of Two Pounds currency per acre; and while the Water Lots in Georgetown, some of which are less than 70 paces from the land so granted to Doctor Cumming, and averaging about half an acre each, were sold by the said Surveyor General at prices varying from Twenty to Thirty Pounds each.

That in addition to the loss of £300 to £500 sustained by the Crown in its Territorial Revenue, by the aforesaid Grant, independent of the £200 to which Doctor Cumming was entitled, it appears unnecessary for your Committee to remark on the great impolicy of granting, to one individual, such a large proportion of the said Royalty Land, namely, one tenth part thereof, with power of holding the same at pleasure, and of exercising that undue influence at Elections, in so limited a constituency, which such an extensive Grant would in future insure for its owner.

Your Committee, however, are sensible, that had the Home Government been made acquainted with the facts of the case. they would not, under any circumstances, have allowed the said lands to be diverted from their originally intended purposes, as recommended by the Commissioners of the Board of Trade and Plantations.

Your Committee have also had the Hon. Robert Hodgson, Her Majesty's Attorney General, before them, whose examination, touching the several matters to your Committee referred, is as follows:—

The ATTORNEY GENERAL, Examined.

Q. How long have you been Attorney General of P. E. Island?

A. I have been Attorney General of this Colony for upwards of Eleven years last past.

Q. From the Extract of the Royal Instructions now exhibited, marked No. 1, what do you think the original intentions of Government were for the settlement of the Towns and Royalties?

A. I should suppose that the original intentions of Government for the settlement of Towns and Royalties were only those expressed in the Extract from the Royal Instructions referred to, marked 1, which are so clearly stated therein, that it is unnecessary to embody them in this answer.

Q. Were you in Charlottetown when Doctor Cumming received the grant of 400 acres of the said Royalty of Georgetown?

A. No—I was in England at the time.

Q. Have you any reason to doubt that the Royalty of Georgetown is not 4000 acres, and that the land granted to Doctor Cumming, as land adjoining the Royalty of Georgetown, forms part of the Royalty, as declared by all the Colonial Enactments referring thereto, and the Extract marked No. 2?

A. From the Extract marked 2, I am of opinion that the Royalty of Georgetown was intended to contain 4000 acres of land; and by the Acts of the General Assembly of this Island, 6th Will. 4, cap. 24, and 7th Will. 4, cap. 31, it appears to me that the Legislature has declared such reserved Lands to be a part of the Royalty of Georgetown, and that they must be now so taken. But I am aware that the Surveyor General has always contended that the said reserved lands formed no part of the said Royalty, and stated his opinion to be founded on Plans and Documents in his office, to which I have had no reference.

Q. Had you been at home, and consulted as a Crown Officer, would you have advised the Administrator of the Government to grant such a quantity of the Royalty of Georgetown as 400 acres, to any individual, under any circumstances—particularly when there was every prospect that Georgetown must rapidly advance in importance, having a harbour second to none in the Gulf of Saint Lawrence?

A. Had I been in the Colony, and consulted as a Crown Officer on the occasion alluded to, my present impression is, that I should have advised against making a Grant of such a quantity of said reserved land to any individual, unless it had appeared to me that the order for making such Grant from the Home Government was so peremptory as to admit of no discretion on the part of the Administrator of the Government.

Q. Are you of opinion, from all the circumstances of the case, and from the state of the Town and Royalty at the passing of the Grant, that it was an improvident grant?

A. Considering the purpose for which said land was reserved (which I understand to be for carrying on a fishery), and the facilities afforded by the situation of the harbour of Georgetown for carrying on an extensive fishery, I have always considered it an improvident grant.

[The extracts referred to in the foregoing examination are those respectively marked Nos. 1 and 2, in the former part of this report.]

Your Committee further beg leave to submit a copy of the order by which Doctor Cumming received the said Grant, viz:—

(Copy.)

No. 9.

DOWNING STREET, 4th April, 1834.

SIR;

I have the honour to acknowledge the receipt of your Despatch, No. 69, of the 21st of January last, transmitting a copy of a letter from three officers on half pay, who claim land under the General Order of the 1st of August, 1831; and considering the impression under which those officers emigrate, I am willing to authorise you to make them an allotment of Wilderness Land, commensurate, at

the rate of Five Shillings per acre, with the amount of the remission of purchase money, to which they are entitled.

I have the honour to be, Sir,

Your most obedient humble Servant,

(Signed)

E. G. STANLEY.

Lieut. Governor Young, &c., &c., &c.,

Your Committee beg leave to remark, that the said Order does not appear to be peremptory, nor could it have been so taken, as the land was sold to Doctor Cumming at ten shillings, sterling, per acre; whereas, had the order been considered peremptory, the Administrator of the Government would not have felt at liberty to have acted otherwise than in strict conformity therewith. The reference, therefore, by the Attorney General to a peremptory order, appears decidedly against those who concurred in passing said Grant.

From the several examinations and documents now humbly submitted by your Committee, they have come to the following conclusions:—

1st. That the land said by the Surveyor General to be adjoining the Royalty of Georgetown, forms part and parcel of the Royalty itself.

2nd. That the Grant to Doctor Cumming was given under suggestions which appear to be unfounded in fact.

3d. That a Grant of so great a portion of the Royalty as one tenth part thereof, or 400 acres, to one individual, is improvident.

Under these circumstances, your Committee humbly recommend to your Hon. House, to address Her most gracious Majesty on the subject, praying, for the aforesaid reasons, that the said Grant to Doctor Cumming be rescinded, and other provision made for that individual in lieu thereof. All which is humbly submitted.

JOHN THOMSON,
JOSEPH DINGWELL,
DONALD MACDONALD,
J. W. LE LACHEUR.

Committee Room, 23d April, 1839.

APPENDIX

(C.)

[SEE PAGE 74.]

YOUR Committee, appointed to inquire into the state of the Library of the Legislature, respectfully report, that the Books now contained therein amount to 530 volumes, comprising many highly valuable Works, among which is a part of the Public Records of the United Kingdom, received from London in the month of July last, having been beneficently presented by direction of the Parent Government, for the use of the Legislature; a large proportion of this handsome donation, however, together with a copy of the Journals of the House of Commons, intended to have been forwarded with the above works, your Committee regret to find, have not reached the Colony, and upon comparing the works received with the list of those transmitted to the other Colonies, the following appear to be deficient, viz:—

Statutes of the Realm,
Acts of Parliament of Scotland,
Rymer's Fædera,
Inquisitionum ad Capillam Domini Regis Retornatarum
qua in Publicis Archivis Scotiæ adhuc servanter,
abbreviatio.
Inquisitionum Post Mortem Calendarium.
Ducatus Lancastriæ—Calendar to Pleadings.
Calendarium Rotulorum Chartarum et Inquisitionum ad
quod Damnum.
Calendarium Rotulorum Potentium.
Valor Ecclesiasticus. Hen. 8.
Ecclesiasticus Taxatio. Cuca A. D. 1291.
Registrum Magni Sigilli, 1306, 1424.
Testa de Neville sive Liber Fiodorum in Curia Scaccarii.
Manuscripts in the Cottonian Library,
Id. Harleian Collection,
Catalogue of Lansdowne Manuscripts in British
Museum.
Proceedings in Chancery. Queen Eliz.
Placita de Quo Warranto, Temp. red. 1, 2 & 3.
Reports of Commissioners on Public Records, from 1819.
Rotulus Cancellarii.
Id. Magnus Pipæ.
Journals of the House of Commons.

As no Catalogue or list of the Books has yet been received in this Island, your Committee are at a loss to account for the deficiency, but have no doubt it has proceeded from some mistake or inadvertency, on the part of those entrusted with the business of transmitting them to this Colony; and they therefore recommend that an humble address be presented to His Excellency the Lieutenant Governor, expressive of the grateful thanks of the Legislature for the Works already received, and respectfully requesting that His Excellency will be pleased to apply to the proper authorities for the Books enumerated above, with any supplementary volumes belonging to the set, when your Committee have every confidence that such application will be readily attended to.

Your Committee, on considering the accommodation of issuing Books to the Members of the Legislature, which will in future be required as well during the adjournment as during the Session thereof—and the necessary safe-keeping and preservation of the works themselves, many of which are bound in a handsome style, respectfully suggest the necessity of the appointment of a Librarian, with a salary not exceeding Ten Pounds per annum, who should be held responsible for the safe keeping of the books.

Your Committee would recommend that, for the guidance of the Librarian, the use of the Library, and its general management in future, should be subject to certain Rules, to be established by a Joint Committee of the Council and Assembly, which Committee shall have power to appoint a Librarian, and also be empowered to act during the vacation.

EDWARD PALMER,
DONALD MONTGOMERY,
FRANCIS LONGWORTH,
JOSEPH POPE,
THOMAS GORMAN,
JOHN ARBUCKLE.

Committee Room,
April 24th, 1839.

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- (A.) No. 1. Despatch relative to the appropriation of proceeds of Glebe and School Lands.
- 2. Letter from the Bishop of Nova Scotia to Lord Glenelg, on same subject, dated 23d July, 1838.
- 3. Observations on the Joint Report of the Council and Assembly, on the subject of the Glebe and School Lands, by certain individuals in Charlottetown, and transmitted by the Bishop of Nova Scotia to Lord Glenelg.
- 4. Second Letter from the Bishop of Nova Scotia to Lord Glenelg, of the same date as the former.
- 5. Report of the Law Officers of the Crown, relative to the exclusive right of the Church of England to the Lands reserved for Churches and Glebes.
- (B.) 1. Despatch from Sir Charles A. Fitz Roy to Lord Glenelg, on the subject of the Fishery Reserves.
- 2. Return of the Reservations for carrying on a Fishery, contained in the original Grants of the several Townships in Prince Edward Island.
- 3. Return of Licenses granted of the Reserves contained in the original Grants.
- 4. Despatch from Lord Glenelg to Sir Charles A. Fitz Roy, dated 10th May, 1838.
- 5. Despatch from Sir Charles A. Fitz Roy to Lord Glenelg, dated 26th July, 1838.

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- 6. Despatch from Lord Glenelg to Sir Charles A. Fitz Roy, dated 14th September, 1838.
- (C.) 1. Despatch from Secretary of State, suggesting certain alterations in the Act for regulating Jails and establishing Prison discipline, in this Island.
- 2. Report of the Visiting Magistrates of Charlottetown Jail, dated 30th April, 1838.
- 3. Report of ditto, dated 4th June, 1838.
- 4. Report of ditto, dated 1st January, 1839.
- 5. Report of the Visiting Magistrates of Georgetown Jail, dated 31st August, 1838.
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- 7. Report of the Visiting Magistrates of St. Eleanor's Jail, dated 1st October, 1838.
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(G.) Account of Vessels launched and registered at this Port in the year ended Dec. 1838.

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Account of Imperial Duties collected in 1838.

Account of Goods Imported into the Island, during the Year ended 5th January, 1839.

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(B.) Report of Special Committee, to whom was referred the documents laid before the House relative to the extent and boundaries of the Royalty of Georgetown; and also upon the mode pursued for the settlement of the said tract of land.

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